Same

Fw: Funding 106 Priority Letters for each State
Troy Hill to: Freda Hardaway, Arlene Gaines 04/28/2010 08:41 AM

FYI

----- Forwarded by Troy Hill/R6/USEPA/US on 04/28/2010 08:41 AM -----

From:	Philip Crocker/R6/USEPA/US
To:	Troy Hill/R6/USEPA/US@EPA
Cc:	Jane Watson/R6/USEPA/US@EPA, Mike Bira/R6/USEPA/US@EPA, Charlie Howell/R6/USEPA/US@EPA, Doris White/R6/USEPA/US@EPA
Date:	04/22/2010 04:10 PM
Subject:	Fw: Funding 106 Priority Letters for each State

Troy, please find our input concerning the 106 state priorities letter. A couple of states had nutrients as a priority last year. In reality, all of our states share this priority, so we are requesting that language be added to the enclosures for each state. Some updating of existing language was done, so we are requesting that you add the language below, specific to each state. Please let me or Mike Bira know if you have any questions. Thanks,

Phil
----- Forwarded by Philip Crocker/R6/USEPA/US on 04/22/2010 04:07 PM -----

Re: Fw: Funding 106 Priority Letters for each State

Mike Bira to: Philip Crocker 04/22/2010 02:28 PM

Here's my input"

AR
B. Water Quality Standards
Nutrient water quality criteria will assist states to target reductions in excess nutrients, which cause eutrophication and other problems in lakes, rivers, streams, and estuaries. A high National priority is for states to develop and adopt numeric nutrient criteria for Total Phosphorus (TP), Total Nitrogen (TN), chlorophyll a, and transparency. At the Region 6 level, we are working with our states to implement their mutually- agreed upon Nutrient Criteria Development Plans, and to update and refine these Plans in the coming year. In addition to developing the above criteria, ADEQ should consider developing a translator method as an interim approach to identify and manage nutrient impaired waters, especially where criteria are not anticipated in the next five years.

LA
C. Water Quality Standards
Nutrient water quality criteria will assist states to target reductions in excess nutrients, which cause eutrophication and other problems in lakes, rivers, streams, and estuaries. A high National priority is for states to develop and adopt numeric nutrient criteria for Total Phosphorus (TP), Total Nitrogen (TN), chlorophyll a, and transparency. At the Region 6 level, we are working with our states to implement their mutually- agreed upon Nutrient Criteria Development Plans, and to update and refine these Plans in the coming year. LDEQ has developed TN and TP criteria for inland rivers and streams, and we appreciate the opportunity for review prior to proposal.

NM
A. Water Quality Standards
Nutrient water quality criteria will assist states to target reductions in excess nutrients, which cause

eutrophication and other problems in lakes, rivers, streams, and estuaries. A high National priority is for states to develop and adopt numeric nutrient criteria for Total Phosphorus (TP), Total Nitrogen (TN), chlorophyll a, and transparency. At the Region 6 level, we are working with our states to implement their mutually- agreed upon Nutrient Criteria Development Plans, and to update and refine these Plans in the coming year. In addition to developing the above criteria, NMED should consider developing a translator method as an interim approach to identify and manage nutrient impaired waters, especially where criteria are not anticipated in the next five years.

OK
A. Water Quality Standards
(This language to be added to other WQS language, possibly in a separate paragraph)
Nutrient water quality criteria will assist states to target reductions in excess nutrients, which cause eutrophication and other problems in lakes, rivers, streams, and estuaries. A high National priority is for states to develop and adopt numeric nutrient criteria for Total Phosphorus (TP), Total Nitrogen (TN), chlorophyll a, and transparency. At the Region 6 level, we are working with our states to implement their mutually- agreed upon Nutrient Criteria Development Plans, and to update and refine these Plans in the coming year. We appreciate the past work from OWRB in development of TP for scenic rivers, and chl a for drinking water supplies, and look forward to additional criteria development.

TX
A. Water Quality Standards
Nutrient water quality criteria will assist states to target reductions in excess nutrients, which cause eutrophication and other problems in lakes, rivers, streams, and estuaries. A high National priority is for states to develop and adopt numeric nutrient criteria for Total Phosphorus (TP), Total Nitrogen (TN), chlorophyll a, and transparency. At the Region 6 level, we are working with our states to implement their mutually- agreed upon Nutrient Criteria Development Plans, and to update and refine these Plans in the coming year. We appreciate TCEQ's efforts toward the adoption of nutrient criteria for 93 reservoirs. EPA believes that development of numeric TN and TP criteria may be supported for Hill Country streams, based on recent USGS studies. In addition to developing the above criteria, TCEQ should consider developing a translator method as an interim approach to identify and manage nutrient impaired waters, especially where criteria are not anticipated in the next five years.

Mike Bira
USEPA Region 6
Dallas, TX
214-665-6668

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

MAY 25 2010

Ms. Marcy Leavitt, Director
Water & Waste Management Division
New Mexico Department of Environment
1190 St. Francis Drive
Santa Fe, New Mexico 87505-4182

Dear Ms. Leavitt:

We would like to thank you for your efforts in fiscal year (FY) 2010 to assist us with our collective water quality goals. It is now time to start the planning process for the FY 11 Clean Water Act (CWA), Section 106 and Section 604(b) funds. We would like to work closely with you and your staff to develop results-oriented work plans for the upcoming fiscal year that focus on restoring water quality in priority watersheds and to improve the water quality of our nation's waterbodies as set forth in EPA's Strategic Plan. The Strategic Plan establishes four national and regional targets for the purpose of reaching this goal: 1) full restoration of impaired waterbodies; 2) removal of specific causes of water body impairment; 3) improvement of water quality in identified watersheds; and 4) prevention of the degradation of the Nation's wadeable streams. More information on EPA's Strategic Plan and goals is available at: http://www.epa.gov/water/waterplan/.

You may be aware that in FY 10, Congress appropriated an additional $10,769,000 in CWA, Section 106 funds for permitting and enforcement efforts. The New Mexico Environment Department has been allotted $79,900 of this amount. EPA was directed to ensure that these funds supplement and enhance these programs and not supplant the existing permitting and enforcement efforts. The requirements that states must meet in order to receive this funding include: separate tasks in the work plan and budget, identifiable outputs and outcomes (a template is included as a companion to the work plan for this information), and a completion report. In addition, the application must include: 1) a specific statement that funds will supplement and expand, not supplant, base permitting and enforcement resources, and 2) the actual Maintenance of Effort (MOE) level. In this case, the MOE is the total state expenditures on water pollution control programs for the last 12 month accounting period. The enclosed documents address the requirements for this funding: the March 23, 2010 EPA Headquarters memo and the Q & A's.

During the past several years, Congress has targeted a portion of the Section 106 funds for water quality monitoring in order to strengthen State water quality programs. Specific guidelines for award of these funds, the National Monitoring Initiative, were published in the Federal Register on March 29, 2006 and amended on July 17, 2008. The supplemental Section 106 funds have two components: 1) to enhance State water monitoring programs consistent with their monitoring strategies and 2) to participate in statistically-valid surveys. The funds to continue to implement the State's monitoring strategy will be allotted equally to the States at $174,000 per state. The FY 11 funding for statistically-valid surveys will be provided to survey lakes/reservoirs. Additional information regarding the statistically-valid surveys will be provided in the future.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
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MAY 25 2010

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Dear Ms. Leavitt:

We would like to thank you for your efforts in fiscal year (FY) 2010 to assist us with our collective water quality goals. It is now time to start the planning process for the FY 11 Clean Water Act (CWA) Section 106 and Section 604(b) funds. We would like to work closely with you and your staff to develop results-oriented work plans for the upcoming fiscal year that focus on restoring water quality in priority watersheds and to improve the water quality of our nation's waterbodies as set forth in EPA's Strategic Plan. The Strategic Plan establishes five national and regional targets for the purpose of reaching this goal: 1) full restoration of impaired waterbodies; 2) removal of specific causes of water body impairment; 3) improvement of water quality in identified watersheds; and 4) prevention of the degradation of the Nation's valuable streams. More information on EPA's Strategic Plan and goals is available at: http://www.epa.gov/ocfo/plan/plan.htm

You may be aware that in FY 10, Congress appropriated an additional $10,795,000 in CWA, Section 106 funds for permitting and enforcement efforts. The New Mexico Environment Department has been allocated $79,860 of this amount. EPA was directed to ensure that these funds supplement and enhance these programs and not supplant the existing permitting and enforcement efforts. The requirements that states must meet in order to receive this funding include: separate tasks in the work plan and budget, identifiable outputs and outcomes (a template is included as a companion to the work plan for this information), and a reporting/end of year report. In addition, the application must include: 1) a specific statement that funds will supplement and not supplant existing permitting and enforcement resources, and 2) the state's Maintenance of Effort (MOE) level. In this case, the MOE is the total state expenditures on water pollution control programs for the last 12 month accounting period. The enclosed documents address the requirements for this funding, the March 24, 2010 EPA Headquarters memo and the Q & A's.

During the last several years, Congress has targeted a portion of the Section 106 funds for water quality monitoring in order to strengthen State water quality programs. Specific guidelines for award of these funds, the National Monitoring Initiative, were published in the Federal Register on March 10, 2006 and amended on July 12, 2007. The supplemental Section 106 funds have two main purposes: 1) to enhance State water monitoring programs consistent with their monitoring strategies and 2) to participate in statistically-valid surveys. The funds to continue to implement the State's monitoring strategy will be allocated equally to the States at $[illegible],000 per state. The FY 11 funding for statistically-valid surveys will be provided to survey take-over-rate. Additional information regarding the statistically-valid surveys will be provided in the future.

The Region continues to emphasize the importance of submitting the required water quality reports in a timely manner. The integrated CWA Section 305(b) report and Section 303(d) list, should be submitted not later than April 1 of the even numbered years (i.e. 2012, 2014, etc.), including an electronic Assessment Database (or compatible) and GIS coverage providing location information about each waterbody segment. An annual update of the report is required not later than April 1 of the odd numbered years (i.e. 2011, 2013, etc.). EPA also requests NMED ensure that water quality data has been uploaded to the STORET data system at the time these reports are submitted to facilitate timely EPA reviews and actions.

Enclosed is a list of priorities for consideration for the FY 11 CWA, Section 106 and 604(b) funding. The NMED Section 106 base funding target amount for FY 11 is $1,483,800 based on the FY 10 allotment. EPA Headquarters continues to recommend that states devote at least 15% of the Section 106 target amount to ground water activities. Region 6 continues to view the 15% for ground water as an acceptable minimum, recognizing that in some states, where ground water protection needs may be greater, a higher percentage may be appropriate. If NMED would like to utilize the allocation differently, we are available to discuss your proposal. Region 6 wants to ensure that decisions regarding resource allocation reflect the extent of identified water quality impairments. The Section 604(b) funding target amount for FY 11 is estimated to be $100,000. Since NMED submitted an FY 10/11 106 application and work plan in May 2009, the Region requests that NMED revisit the FY 11 work plan based on information provided in this guidance letter and also revise the application to include the permitting/enforcement funding. Please submit the revised FY 11 Section 106 application and work plan by August 1, 2010 and the 604(b) application and work plan by
November 1, 2010.

Enclosed are the FY 11 Program Activity Measures that are associated with the Section 106 program and the Region's priority areas for NMED. In addition, the FY 11 National Program Guidance to aid in the State's planning efforts and the restoration of impaired water bodies is available at http://www.epa.gov/cfo/npmguidance/index.htm. More specific Section 106 Guidance is incorporated in Section 3 and Appendix E. Please give careful consideration to the enclosed as well as the referenced documents. We are available to discuss any ideas you may have regarding mechanisms and strategies to best direct this funding toward targeted water pollution control and water quality management activities that will strengthen watershed restoration efforts. You may contact Troy Hill at 214-665-7110 or have your staff contact their project officer with any questions about Section 106 and 604b planning for FY 11. We appreciate the efforts of your Agency in protecting the environment and public health.

Sincerely,

Miguel I. Flores
Director
Water Quality Protection Division

Enclosures

cc: Glenn Saums, NMED Surface Water Quality Bureau
James Hogan, NMED Surface Water Quality Bureau

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 23 2010

OFFICE OF
WATER

MEMORANDUM

SUBJECT: Section 106 Allocation for FY 2010

FROM: James A. Hanlon, Director
Office of Wastewater Management

TO: Regional Water Division Directors

Purpose:

This memorandum provides guidance for the implementation of the supplemental Section 106 funding provided by the FY 2010 appropriation. Attached is the Final Section 106 FY 2010 Funding Targets for States, Territories, Interstate Compact Commissions (ICC's) and Regional allocations for Tribes. The third column contains the increase in Section 106 funding for FY 2010.

Background:

The FY 2010 appropriation bill includes an increase of $10,769,000 for the Section 106 Program. The conference report language for the FY 2010 appropriations bill includes the following:

> *"The Agency is directed to ensure that the increased funds are used to strengthen State permitting and enforcement efforts and to ensure that these funds supplement and expand, not supplant, base State enforcement program resources."*

Approach:

The Agency has determined, based on the direction in the above report language, that the additional funds will be targeted to activities that support National Pollutant Discharge Elimination System (NPDES) permitting and enforcement in all water pollution control programs.

The Agency has begun working with States to implement the Clean Water Act Action Plan (Action Plan) (http://www.epa.gov/oecaerth/civil/cwa/cwaenfplan.html). States should consider the Action Plan in their plans to use these additional FY 2010 funds.

As the Regions negotiate new or amend existing State, Territory, ICC and Tribal work plans, the Region should ensure the following:

States (including the Virgin Islands) with NPDES authority – the increase in Section 106 funding should be used for NPDES permitting and enforcement activities directly. Enforcement activities include compliance monitoring (inspections). States should consider those activities found in the Action Plan.

States, Territories and ICC's without NPDES authority – the increase in Section 106 funding should be used for activities that support permitting and enforcement, such as developing total maximum daily loads, water quality standards, or conducting monitoring in support of EPA permitting and enforcement actions.

Tribes – any increase in Section 106 funding should be used for activities that support permitting and enforcement. Funds should be targeted for Tribes that are initiating or expanding their authorities in a manner that supports permitting and enforcement such as Tribal development and implementation of water quality standards (including developing "treatment in a manner similar to a state" documents), or monitoring in support of EPA NPDES permitting and enforcement actions

Additional Requirements for the FY 2010 Section 106 Grants

The following requirements apply to the $10,769,000 increase in Section 106 funding for FY 2010 and are necessary to ensure that the additional funding is used as Congress directed.

1. Separate identifiable task(s) in work plan and budget for this funding - the activities in the work plan that support NPDES permitting and enforcement must be separate tasks and a separate line item in the budget. There is no requirement to track these additional funds once the work plan has been approved. Regions are expected to ensure the level of effort proposed in the work plan is appropriate for the tasks proposed.

2. Establish identifiable outputs and outcomes – the permitting and enforcement activities identified in the work plan for these funds must have distinct, identifiable outputs and/or outcomes.

3. Completion report – Grantees must report on the permitting and enforcement activities (outputs and/or outcomes) separately in their annual reports.

4. Supplement and expand, not supplant – Congress explicitly directed EPA "*to ensure that these funds supplement and expand, not supplant, base State*

enforcement program resources." Applications for the supplemental Section 106 funding must include the following statement:

"By submitting this application, the (Name of State, Territory, ICC or Tribe) certifies that the [$X] increased funds will be used to strengthen permitting and enforcement efforts and to ensure that these funds supplement and expand, not supplant, base permitting and enforcement program resources.

With the application, States, and ICC's are required to identify their Maintenance of Effort (MOE) level. The MOE is the amount the State/ICC has expended from all State/ICC sources on water pollution control programs during the most recent twelve month accounting period. A state-wide or department-wide general reduction is not considered supplanting or reducing State/ICC funding for the purpose of this requirement. Tribes do not have an MOE level, instead they will include their required five percent match amount

The funds will be transferred to the Regions the week of March 22, 2010. Thank you for your assistance in this matter. If you have any questions, please contact me, or have your staff contact Robyn Delehanty at (202) 564-3880 or delehanty.robyn@epa.gov.

cc: Lauren Willis, OGC
Section 106 Regional Coordinators
Section 106 Tribal Coordinators

Q&A's for the Section 106 2010 Allotment

Question 1: Why does EPA want all state/ICC funding for water pollution control programs?

Answer 1: Congress directed EPA to ensure the $10.7 million for permitting and enforcement supplement not supplant state funds. To make that determination, grantees are required to provide their actual spending on the water pollution control program expended during the most recent 12 month accounting period. This number should include costs such as salaries, benefits, indirect costs, equipment, laboratory analysis and any other non-federal expenditure for the program.

Question 2: How does the MOE for the permitting and enforcement funds differ from the MOE defined at 40 CFR Part 35.165 that states and ICC's provide annually?

Answer 2: The MOE required for the permitting and enforcement funds is the level of state/ICC funding expended by the grant recipient for the water pollution control program during the last 12 month accounting period.

States/ICC's will still need to provide the MOE defined at 40 CFR Part 35.165 for the base Section 106 grant. By regulation, states and ICC are required to provide either:

- Their 1971 level of effort (LOE). The LOE is based on the actual state/ICC (non-federal) spending levels for water pollution control programs in 1971, or
- The 1977 MOE for all grantees that still have active Section 205(g) grants.

Question 3: How will tribes meet the requirement to supplement and enhance not supplant?

Answer 3: Tribes are required to provide a 5% match for all federal funding. If a tribe is providing more than the required 5%, then the total amount of non-federal funding must be provided. If a tribe has received a waiver from the match requirement, that should be noted in the statement of work or budget narrative.

Question 4: What authority does EPA have to collect this information?

Answer 4: EPA can impose grant terms and conditions that further the goals of the grant program authority in the Clean Water Act. Collecting this information furthers the goals of CWA 106. EPA must also comply with the Paperwork Reduction Act. EPA has an approved General Grants Information Collection Request (ICR) (OMB control #2030-

0020). The ICR includes any information EPA deems necessary to ensure the proper oversight of the grant program.

Question 5: Does the EPA want that information by program (water quality standards, total maximum daily loads, permitting, etc)?

Answer 5: For individual grants, recipients will be required to provide one number, the total non-federal funding for the last 12 month accounting period.

For Section 106 grants that are part of a PPG, the grantee would provide the total funding placed in the PPG for Section 106 activities plus any other non-federal funding the state provided. EPA will not require the recipient to account for how the funds placed in the PPG were utilized.

Question 6: Do we need to include the actual MOE and certification information if there has been a state-wide or department-wide general reduction in funding?

Answer 6: Yes. EPA will only award the permitting and enforcement funds to those grant recipients that provide both the certification and actual MOE. In 2011, the Agency may request the information for the previous 12 month accounting period to ensure the money was used as Congress intended. If there has been a state-wide or department-wide reduction, grant recipients would provide the information at that time.

Question 7: What if a state does not include the certification language or funding information in their grant application?

Answer 7: Any grant application that does not include the certification language or non-federal funding information in the statement of work or budget narrative is not eligible for funding.

STATE _____ AGENCY _____ FY_____ Draft 4-20-2006

Section 106 Enforcement and Permitting Supplemental Workplan

This template can be used as a companion to the March 23, 2010 memo: Section 106 Allocation for FY 2010, which provides guidance on the use of permitting and enforcement funds. The structure of this template will allow EPA and grant recipients to link proposed activities directly to supporting, supplimenting and enhancing NPDES permitting and enforcement. Whenever possible, grantees should consider EPA's Office of Enforcement and Compliance Assurance (OECA) Clean Water Act Action Plan activities when developing workplans and budgets for Section 106 enforcement and permitting funds. In addition to the template, states should submit a narrative workplan that describes in more detail the tasks listed below, including how the activity supports or suppliments and expands existing enforcement and permitting activities.

Task	Products and/or Deliverables	Expected Cost	Planned Completion Date	Identify how this task supports or suppliments and expands NPDES Permitting and enforcement	Outputs/Outcomes
	Direct:				
	Indirect:				
	Total:				

PRIORITIES FOR FY 11 CLEAN WATER ACT, SECTION 106/604(b) FUNDS
NEW MEXICO

I. Water Quality

A. Water Quality Standards

Nutrient Criteria: Nutrient water quality criteria will assist states to target reductions in excess nutrients, which cause eutrophication and other problems in lakes, rivers, streams, and estuaries. A high National priority is for states to develop and adopt numeric nutrient criteria for Total Phosphorus (TP), Total Nitrogen (TN), chlorophyll a, and transparency. Region is working with the states to implement the mutually-agreed upon Nutrient Criteria Development Plans, and to update and refine these Plans in the coming year. In addition to developing the above criteria, NMED should consider developing a translator method as an interim approach to identify and manage nutrient impaired waters, especially where criteria are not anticipated in the next five years.

B. Cross Program

Priority Watersheds and Documenting Watershed Restoration Successes: EPA's strategic plan watershed (SP-12) and nonpoint source program (WQ-10) measures require documentation of water quality improvements and water quality restoration, respectively. This information is critical to document the effectiveness of EPA funded water quality management programs. As such, EPA requests that NMED document "successes" where improvements consistent with the measures definitions have been met. In addition, each state should identify watersheds, on a 12-digit or equivalent scale, to focus future restoration efforts and proceed with development and implementation of watershed management plans. See http://www.epa.gov/ow/waterplan/pamsfy10/def_wq10.html for measure definitions.

II. National Pollutant Discharge Elimination System (NPDES) and Total Maximum Daily Loads (TMDL) Programs

TMDLs

Each Region 6 State should meet or exceed their TMDL Pace and/or respective TMDL PAM commitment for FY 2011.

III. Ground Water

A. Coordination efforts to integrate programs such as the TMDL program, the Class V Underground Injection Control program, and source water protection programs.

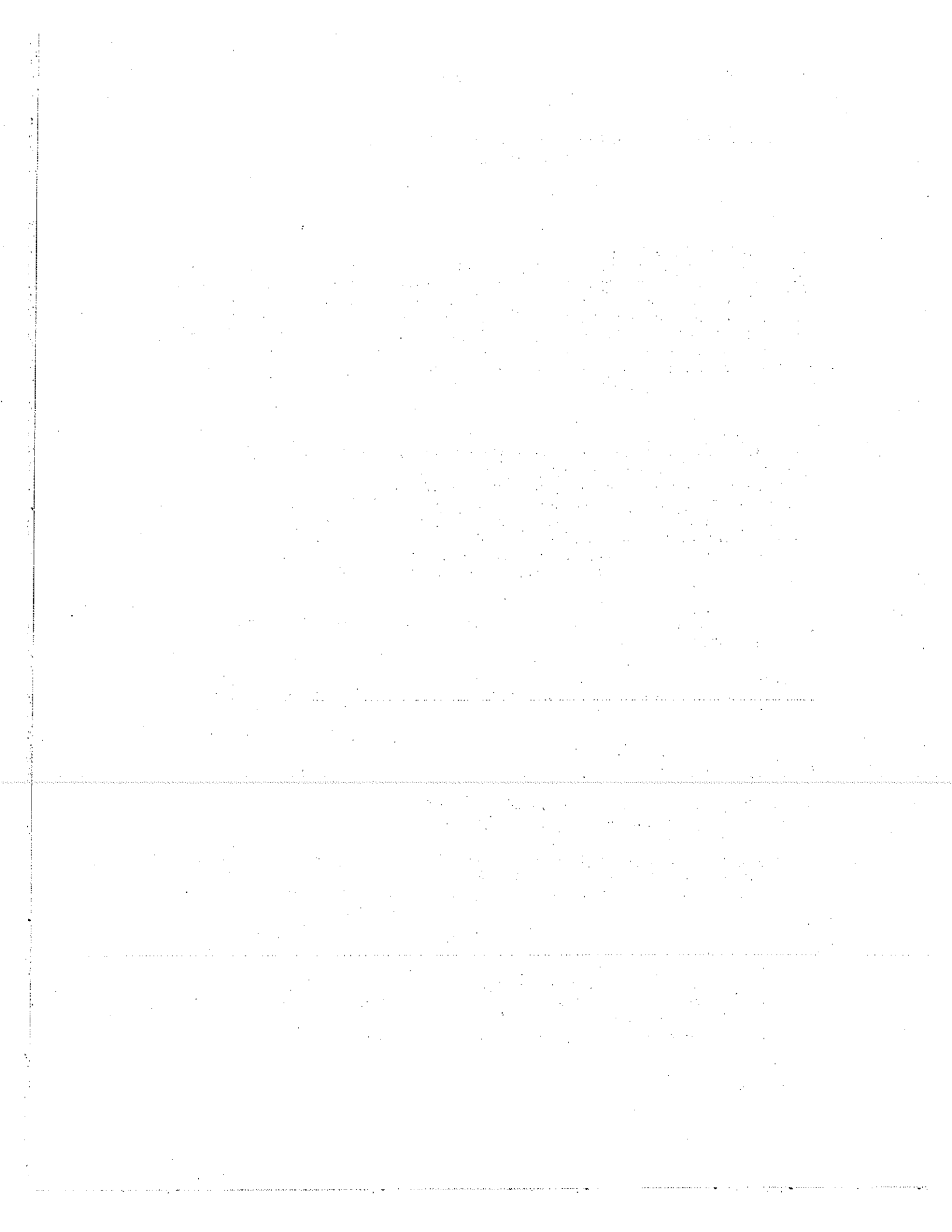
B. Ground water monitoring & modeling, as well as information management and analytical work that supports the State's efforts to create aquifer baseline monitoring with continued monitoring to track aquifer conditions. These efforts also support a comprehensive approach such as watershed or basin-wide planning.

IV. Enforcement

A. Input data to Integrated Compliance Information System (ICIS)

B. Operate programs in accordance with delegation/primacy documents (i.e. compliance monitoring, storm water inspections, concentrated animal feeding operations, sanitary sewer overflows, etc.)

C. Prepare for the implementation of NetDMR; compliance monitoring and other requirements.



U.S. EPA Office of Water FY 2011 NPM GUIDANCE MEASURES APPENDIX A Region 6		
G/O/S	**FY 2011 ACS Code**	**FY 2011 National Water Program Guidance Measure Text**
Goal 2: Clean and Safe Water **Sub-objective 2.1.1: Water Safe to Drink**		
2.1.1	SP-4a	Percent of community water systems where risk to public health is minimized through source water protection.
2.1.1	SP-4b	Percent of the population served by community water systems where risk to public health is minimized through source water protection
Sub-objective 2.2.1 Improve Water Quality on a Watershed Basis		
2.2.1	SP-10	Number of waterbodies identified in 2002 as not attaining water quality standards where standards are now fully attained (cumulative)
2.2.1	SP-11	Remove the specific causes of waterbody impairment identified by states in 2002. (cumulative)
2.2.1	SP-12	Improve water quality conditions in impaired watersheds nationwide using the watershed approach. (cumulative)
2.2.1	WQ-1a	Number of numeric water quality standards for total nitrogen and for total phosphorus adopted by States and Territories and approved by EPA, or promulgated by EPA, for all waters within the State or Territory for each of the following waterbody types: lakes/reservoirs, rivers/streams, and estuaries (cumulative, out of a universe of 280)
2.2.1	WQ-1b	Number of numeric water quality standards for total nitrogen and total phosphorus at least proposed by States and Territories, or by EPA proposed rulemaking, for all waters within the State or Territory for each of the following waterbody types: lakes/reservoirs, rivers/streams, and estuaries (cumulative, out of a universe of 280).
2.2.1	WQ-1c	Number of States and Territories supplying a full set of performance milestone information to EPA concerning development, proposal, and adoption of numeric water quality standards for total nitrogen and total phosphorus for each waterbody type within the State or Territory (annual). (The universe for this measure is 56.)
2.2.1	WQ-3a	Number, and national percent, of States and Territories that within the preceding three year period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific information from EPA or other resources not considered in the previous standards.

2.2.1	WQ-4a	Percentage of submissions of new or revised water quality standards from States and Territories that are approved by EPA.
2.2.1	WQ-5	Number of States and Territories that have adopted and are implementing their monitoring strategies in keeping with established schedules.
2.2.1	WQ-7	Number of States and Territories that provide electronic information using the Assessment Database version 2 or later (or compatible system) and geo-reference the information to facilitate the integrated reporting of assessment data. (cumulative)
2.2.1	WQ-8b	Number, and national percent, of approved TMDLs, that are established by States and approved by EPA [State TMDLs] on a schedule consistent with national policy. Note: A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. The terms 'approved' and 'established' refer to the completion and approval of the TMDL itself.
2.2.1	WQ-10	Number of waterbodies identified by States (in 1998/2000 or subsequent years) as being primarily nonpoint source (NPS)-impaired that are partially or fully restored. (cumulative)
2.2.1	WQ-12a	Percent of non- Tribal facilities covered by NPDES permits that are considered current. [Measure will still set targets and commitments and report results in both % and #.]
2.2.1	WQ-13a	Number, and national percent, of MS-4s covered under either an individual or general permit.
2.2.1	WQ-13b	Number of facilities covered under either an individual or general industrial storm water permit.
2.2.1	WQ-13c	Number of sites covered under either an individual or general construction storm water site permit.
2.2.1	WQ-13d	Number of facilities covered under either an individual or general CAFO permit.
2.2.1	WQ-14a	Number, and national percent, of Significant Industrial Users (SIUs) that are discharging to POTWs with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements.
2.2.1	WQ-15a	Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year.
2.2.1	WQ-19a	Number of high priority state NPDES permits that are issued in the fiscal year.
2.2.1	WQ-20	Number of facilities that have traded at least once plus all facilities covered by an overlay permit that incorporates trading provisions with an enforceable cap.

STATE OF NEW MEXICO
Surface Water Quality Bureau
New Mexico Environment Department

FY 11 CLEAN WATER ACT SECTION 106 WORK PLAN FOR SURFACE WATER QUALITY MANAGEMENT
Grant # I-00635009

Semi-Annual Update for Work Accomplished January 1 to June 30, 2011

August 1, 2011

1.0 WATER QUALITY MONITORING, IMPAIRED WATERS AND TMDLS (5.25 FTEs – 4.5 Monitoring, 0.25 Assessment and 0.5 TMDL))

1.1 Introduction

Section 106(e)(1) of the federal Clean Water Act (CWA) requires the states to establish appropriate monitoring methods in order to compile and analyze data on the quality of "waters of the United States." These activities assist the Bureau in meeting responsibilities detailed under sections 106, 201, 301(b), 303, 305(b), 401 and 604(b) of the CWA. For example, the SWQB collects water quality data to determine if state surface water quality standards are being met and to ensure that designated uses are supported. Water quality data are also used to evaluate the state's standards and propose revisions as appropriate, establish waterbody management priorities, develop total maximum daily loads (TMDLs) pursuant to Section 303(d), develop water quality-based effluent limitations pursuant to Section 301(b), assess the efficacy of water pollution controls, determine water quality trends and prepare biennial reports to the U.S. Congress pursuant to Section 305(b).

The Bureau identifies surface water quality problems and associated data needs by means of a statewide monitoring plan that provides for the evaluation of all watersheds in the State approximately once every eight years. New Mexico just completed a revision of its monitoring and assessment strategy using 604b ARRA funding.. Attachment 2 shows the eight-year Statewide Monitoring Plan schedule which detailed in this monitoring plan. The monitoring schedule is coordinated with the TMDL development schedule. SWQB strives to ensure that the state completes its share of the following federal Performance Activity Measure commitments related to water quality monitoring, impaired waters and TMDLs each year.

Related EPA Priority Performance Activity Measures (from draft FY11 National Water Program Guidance)

WQ-5	Number of States and Territories that have adopted and are implementing their monitoring strategies in keeping with established schedules.

WQ-7	Number of States and Territories that provide electronic information using the Assessment Database version 2 or later (or compatible system) and geo-reference the information to facilitate the integrated reporting of assessment data. (cumulative)
WQ-8b	Number, and national percent, of TMDLs that are established by States and approved by EPA [State TMDLs] on a schedule consistent with national policy. Note: Because a TMDL is a plan for attaining water quality standards, the terms "approved" and "established refer to the completion and approval of the TMDL itself.
WQ-21	Number of water segments identified as impaired in 2002 for which States and EPA agree that initial restoration planning is complete (i.e., EPA has approved all needed TMDLs for pollutants causing impairments to the waterbody or has approved a 303(d) list that recognizes that the waterbody is covered by a Watershed Plan [i.e., Category 4b or Category 5m]). (cumulative)
SP-10	Number of waterbodies identified in 2002 as not attaining water quality standards where standards are now fully attained. (cumulative)

1.2 Water Quality Monitoring

Surface water quality monitoring is primarily accomplished using an 8-year rotating basin strategy. Once every eight years the watershed is the focus of an intensive water quality survey with sampling sites established throughout the watershed of interest. Sample site location, sampling frequency and type of data collected are determined so as to provide adequate data density to allow determination of attainment or non-attainment of New Mexico surface water quality standards with a defined level of confidence derived from inferential statistical analysis. Data collected in these efforts are also used to establish a long-term monitoring record that may allow for simple trend analyses. Specific sample locations are determined by Bureau personnel following review of historic data and 303(d) lists, conducting public meetings with stakeholders, and reconnaissance of the watershed of interest. The SWQB also supports limited ambient, fixed-station monitoring performed by the U.S. Geological Survey through a cooperative agreement with NMED (funded with recurring funds from the NM state legislature)

The SWQB relies mainly on intensive surveys because of the demonstrated advantage of this form of monitoring in relating water quality data to specific water quality problems. SWQB's integrative watershed approach provides:

- A systematic, detailed review of water quality data and allows for more efficient use of human and budgetary resources.
- Information at a scale where implementation of corrective activities is feasible.
- An established order of rotation and predictable sampling in each watershed, which allows easier coordination efforts with other programs and entities interested in water quality.
- Enhanced program efficiency and an improved basis for management decisions.
- Coordination of monitoring activities across all SWQB and related Departmental (e.g., DOE Oversight Bureau) program areas to ensure that a number of interrelated and comprehensive objectives are efficiently met.

The collected water quality data is used to:

- Determine attainment or non-attainment of water quality standards for 303(d) assessments.
- Show status and trends for key pollutants for 305(b) report.
- Support TMDL development efforts.
- Identify point source pollution problems and assist in NPDES permit reviews.
- Provide water quality data to identify nonpoint source pollution problems.
- Refine and enhance the state's surface water quality standards.

Additionally, data may be collected to evaluate the appropriateness and effectiveness of BMPs implemented through the 319 program in response to integrated report listings and TMDL development. Specifically, New Mexico is nominating specific waterbodies which did not meet standards in 2002, where water quality has improved at least in part due to application of watershed approaches to water quality improvement, for recognition as program successes under EPA Strategic Plan measures SP-12 and WQ-10. This effort is primarily supported under the Clean Water Act Section 319 program, but Monitoring and Assessment staff may assist with data collection necessary to document these successes under the CWA Section 106 program.

Intensive Water Quality Surveys are conducted in accordance with the statewide *Water Quality Monitoring Strategy*. The validity of all environmental measurements is ensured by strict adherence to procedures provided in the *Quality Management Plan for Water Quality Management Programs* (QMP), the *Quality Assurance Project Plan for Water Quality Management Programs* (QAPP) and SWQB *Standard Operating Procedures for Data Collection* (SOPs). Core activities for intensive water quality surveys include:

Aquatic Biology: includes analysis and assessment of fish, algal/periphyton, and aquatic macroinvertebrate communities, and aquatic and riparian habitats of streams, rivers and lakes. These efforts also include the development of monitoring and assessment protocols for classification of the State's surface waters. After criteria development, SWQB will establish a baseline biological assessment program. *[Please note that, while NMED considers this to be a core part of our monitoring activities these activities are funded exclusively with 106 supplemental monitoring funds and state funds. An increase in 106 base funds would be necessary for these activities to formally be included as part of the 106 work plan.]*

Water Chemistry: includes the design and implementation of water quality surveys for chemical, physical, bacteriological, and radiological characteristics in New Mexico's streams, rivers and lakes.

Physical Habitat: includes stream fluvial geomorphology and riparian measurements performed using standardized methods to evaluate stream bottom sediments, bank stability, biological habitat, and baseline stream data for the development and refinement of biological, nutrient, and percent fines/bedded sediments criteria and for monitoring change in a stream/river reach over time.

Lake Surveys: Lakes located in surveyed watersheds are monitored concurrently with stream surveys. Lake monitoring includes depth profiles, chemical analyses, and phytoplankton and diatom community composition identifications by contractor labs.

Water quality survey summaries are prepared presenting sampling station locations, methods, summary of water quality data collected, salient results of surveys, and other information needed for inclusion in the Integrated CWA 303(d)/305(b) Report. Survey summaries are developed for each watershed stream survey, and compiled in a collective format for lakes. SWQB submits the survey summaries to EPA Region 6 and posts them on the Bureau's website.

The SWQB maintains an extensive database generated by input from the teams within the Monitoring and Assessment Section as well as those of the Watershed Protection and Point Source Regulation sections. SWQB uploads data into the U.S. Environmental Protection Agency water quality STORET database after staff have completed the verification and validation steps outlined in the approved SWQB Quality Assurance Project Plan (QAPP).

Other monitoring obligations include conducting short-term investigations in response to citizen complaints, fish kills, accidental spills, illegal discharges and other emergencies; and preparing retrievals of stored data when requested. The SWQB operates under legal authorities from the New Mexico Water Quality Act (WQA) and the federal Clean Water Act (CWA) and their attendant rules and regulations.

Outputs

1. Complete water quality surveys of selected watersheds in accordance with Attachment 2 and as described above.
   - Complete San Juan and Pecos Headwaters – November 2010
   - Initiate water quality surveys in Rio Pueco, Little Colorado and Gila watersheds – June 2011

2. Update the SWQB water quality database on a bimonthly basis and STORET/WQX annually. See Table 1 for summary of expected STORET/WQX uploads during FY11.

3. Prepare survey summaries for submittal to EPA and posting on the SWQB web site within 24 months of survey completion. See Table 2 for survey reports to be completed during FY11.

4. Annual review of State Monitoring Strategy and update as changes are deemed necessary by the end of the state fiscal year.
   - Review and revision of this document completed April 2011.

UPDATE July-December 2010:

Three water quality surveys were completed during this reporting period: the Upper Pecos River, San Juan and Lakes.

Highlights of the 2010 surveys include:

- ***Nearly 80 stream sites are being surveyed roughly monthly from March thru October 2010***

- *A total of 4 lakes (3 of which are large reservoirs) are being surveyed, 2 in the San Juan and 3 in the Upper Pecos*
- *Approximately 30 of these sites sampled for biological (macro invertebrate, 15 sites for fish) and habitat monitoring in late summer 2010 – details of this sampling are reported in the FY10 106 supplemental work plan*

In December of 2010 survey planning was initiated for the Gila/San Francisco, Rio Puerco/ Little Colorado and Lower Rio Grande river basins along with associated lakes/reservoirs. This basins are being sampled in accordance with SWQB's monitoring strategy. Survey leads were assigned and budgets were allocated. Draft field sampling plans (FSPs) will be developed in January with Public comment/meeting invited in February.

No data were uploaded to STORET during this reporting period (see details in Table 1 below). At the end of September 2009 our database/data management staff member left and as a result no further uploads have occurred. We have recently hired a staff member who has taken over these responsibilities and we anticipate the backlog to be completed in the next reporting period. Please see database section (4.3) below for more details.

SWQB staff continued to work to complete a backlog of pending water quality reports on previous surveys (see Table 2 for details). During this reporting period three survey report were completed; these reports are provide as a deliverable to EPA in the attachments folders. As always, completed reports are made available to the public via our website: http://www.nmenv.state.nm.us/swqb/MAS/. Our progress continues and we anticipated completing this backlog by in the next reporting period.

UPDATE January-June 2011:

Four water quality surveys were in progress during this reporting period: Gila/San Francisco, Rio Puerco/Zuni, Lower Rio Grande and Lakes. During this reporting period we completed the development of the FSP for each of these surveys; conducted public meetings in the survey watershed; and have completed ~4 of 8 planned chemical sampling events for these surveys.

Highlights of the 2011 surveys include:
- *Nearly 110 sampling sites (includes permitted discharges) are being surveyed roughly monthly from March thru October 2010*
- *A total of 5 lakes are being surveyed, 3 in the Gila/San Francisco and 2 in the Rio Puerco/Zuni*
- *Approximately 30 of these sites will be sampled for biological (macro invertebrate, 15 sites for fish) and habitat monitoring in late summer 2011 – details of this sampling are reported in the FY11 106 supplemental work plan*

The collection of data for these surveys will be guided by our completely updated and revised SOPs and field data forms – which can all be found at the following website: http://www.nmenv.state.nm.us/swqb/SOP/index.html

A recently hired staff member took over responsibilities of data upload to STORET/WQX. As anticipated the backlog of pending data uploads was completed using the web based data upload tool (see Table 1 for water quality data uploads). Please see database section (4.3) below for more details.

SWQB staff have addressed the backlog of pending water quality reports on previous surveys (see Table 2 for details). During this reporting period three survey reports were completed and the other survey report from 2009 is in progress and should be completed by the end of the summer. These reports are provided as a deliverable to EPA in the attachments folders. As always, completed reports are made available to the public via our website: http://www.nmenv.state.nm.us/swqb/MAS/.

SWQB staff reviewed the monitoring strategy document and determined that no updates were required at this time.

Table 1. Pending data uploads to EPA national database for FY10 and FY11

Survey	Year	Verification and Validation Process Complete?	Date field and lab data uploaded to EPA
Chama	2007	Yes	March 2011
MRG - BOR Study	Oct 2006 - Sept 2008	Yes	March 2011
Upper Rio Grande	2009	Yes	March 2011
Mimbres	2009	Yes	March 2011
Gallinas WUI Part II	2009	Yes	March 2011
Lakes 2009	2009	Yes	March 2011
Upper Pecos 2010	2010	In Progress	estimated August 2011
San Juan 2010	2010	Yes	estimated July 2011
Lakes 2010	2010	Yes	estimated July 2011

Table 2. Pending Water Quality Survey Reports for FY09-FY12.

Basin	Survey Year	Target Completion Date
Valle Vidal	2006	completed Jun-11
Chama	2007	completed Oct-10
Lakes	2007	completed Oct-10
Lakes	2008	completed Dec-10
Mimbres	2009	completed Jun-11
Lakes	2009	completed Jun-11
Upper Rio Grande	2009	In Progress - Oct-11

1.3 Impaired Waters and TMDLs

1.3.1 Water Quality Assessment and Development of Integrated §303(d)/ 305(b) Report and List of Impaired Waters

Assessment protocol and impairment listing development tasks include preparing, maintaining and revising chemical, physical and biological assessment protocols, assessment of chemical, physical and biological data to identify impaired waters, and development of the biennial Integrated §303(d)/ 305(b) Report and List of Impaired Waters (Integrated Report / List), and maintaining the Assessment Database (ADB) and Administrative Record related to impairment listings. SWQB will continue to actively participate in the National EPA Integrated CWA 303(d)/305(b) Report workgroup to develop draft and final national reporting guidance. This activity requires a 0.5 FTE to complete and the time will be equally supported through CWA §604(b) and §106 funds.

1.3.2 TMDL Development

TMDL development includes integrating data from a variety of sources and preparing TMDL plans for impaired waters. The TMDL process includes review of the adequacy and significance of water quality and other supporting data, review of the effectiveness of existing water quality protection and pollution control measures, evaluation of existing management strategies, and incorporation of new water quality management implementation strategies. NMED was operating under a 1997 consent decree stemming from EPA's settlement of the Forest Guardians, et al. v. Browner lawsuit (Civ. 96-0826 LH). The consent decree set forth a ten-year schedule for developing TMDLs for waters included on the CWA Section 303(d) List of Impaired Waters. A separate settlement agreement between EPA and Forest Guardians/Southwest Environmental Center Law outlines requirements to address all remaining impairments from the 1996 CWA 303(d) List of Impaired Waters. The final TMDL required under the Consent Decree was approved by the NM WQCC on November 14, 2006 and approved by EPA R6 on August 10, 2007. NM has twenty waterbody-pollutant pairs remaining under the Settlement Agreement that must addressed through TMDLs or other appropriate measures prior to 2017.

SWQB's ongoing TMDL development activities will continue to be guided by the 1997 Settlement Agreement between EPA and Forest Guardians, wasteload allocations required for NPDES permits, and other projects that help the state attain standards in impaired waterbodies. The comprehensive nature of TMDL development affects all aspects of SWQB activities, including NPDES and standards programs funded under this grant. This activity is supported through a combination of CWA §604(b) and §106 funds; details of the funding source for each TMDL is provided in the Table 3 below.

Outputs

1. Revision to Integrated §303(d)/ 305(b) Report Assessment Protocols
   - Draft Assessment Protocols sent to EPA by March 31, 2011 for review and comment prior to opening for public comment.

2. New Mexico's PACE number for FY11 is anticipated to be 30 based on communication from EPA. A candidate list of waterbody-pollutant pairs for which TMDLs has been developed and provided to EPA. It is also attached below. The areas of focus are the remaining listings for the Canadian Watershed as well as the Chama watershed (15 Assessment Units) where water quality surveys were completed in 2007.

In addition SWQB is also collecting the necessary data collected in 2010 to complete the Rio Peñasco and Tularosa River TMDLs. These TMDLs include a TMDL for sedimentation for Rio Penasco (Hwy 24 to headwaters) and a temperature TMDL for Dog Canyon (Tularosa Creek to headwaters) and an E.coli TMDL for Three Rivers (USFS bnd to headwaters) in the Tularosa Closed Basin. The E.coli and sedimentation TMDLs were the two TMDLs that EPA R6 agreed to write for SWQB in 2007.

UPDATE July-December 2010 for 303d/305b Report:
There was minimal activity on this task during this reporting period. In December MAS staff began the process of revising the Assessment Protocols. In the next reporting period these will be finalized and released for public comment and EPA review. In addition a Request for Data to be used for development of the 2012-2014 Integrated List will be published in major newspapers around the state (see Public Notice provided in the attachment). Please also find in the deliverables a copy of the timeline for completion of the 2012 List.

UPDATE January-June 2011 for 303d/305b Report:

During this reporting period NMED staff reviewed and revised the Assessment Protocols. Updated APs were released for a 30-day public comment, along with a call for public data, on March 22nd. No comments on the assessment protocols were received however several dataset were received and will be included in our assessment. Our revised assessment protocols included the following notable changes:

- ***Various Main AP revisions -- including addition of a Not Assessed category for benthic macroinvertebrate assessments when the M-SCI score is in the "Fair" range (56.7 and 37.2) or the RBP percentage is in the previously-termed best professional judgment range (83 to 79%) , new algae composition and bloom section, various minor clarifications including new flowcharts, etc.***
- ***Major revision to the Sedimentation/Siltation AP based on the results of our project with TetraTech and EPA Region 6. TetraTech's full report is available at: P:\SWQB PUBLIC\MAS Core Documents\SEDIMENT WORKGROUP & REFs\FINAL TetraTech Report 083110. In addition we have prepared a summary of the 100+ report that is to our new SWQB Sedimentation web page ftp://ftp.nmenv.state.nm.us/www/swqb/MAS/Protocols/SWQBSedimentThresholdDevelopment.pdf.***
- ***Re-organization/clarification of the Nutrient AP.***
- ***Expansion of the pH AP to include both grab and sonde data assessment procedures in one document, clarify procedures for lakes vs. streams, etc.***
- ***Expansion and revision of the DO AP to include both grab and sonde data assessment procedures in one document, clarify procedures for lakes vs. streams, remove assessment procedures based on percent saturation since they are outside of our current WQS, etc.***
- ***Expansion and revision of the Temperature AP to include new WQS language, clarify procedures for lakes vs. streams, etc.***
- ***Revised Turbidity AP based on frequency / duration exceedences that have been shown to cause biological impairments in clear streams (only applied to CWAL uses)***

The revised APs as well as the public notice are provided as a project deliverable and can also be found on our website http://www.nmenv.state.nm.us/swqb/protocols/index.html.

At this point in the timeline we are currently undertaking water quality assessments (Timeline and Assessment tasks are provided as deliverables) and have completed roughly half of this task putting us on target to meet the April 1st 2012 deadline.

UPDATE July-December 2010 for TMDLs:
Please note only nutrient TMDLs are funded under the 106 program. Other TMDLs are funded through the 604b grant program.

SWQB staff presented the Cimarron TMDLs to the WQCC on August 10, 2010 for final approval. The document was approved (see 604b attachment file 1). A letter requesting EPA approval was drafted (see 604b attachment file 2) and sent to EPA on August 12, 2010. SWQB received EPA approval of the 31 Cimarron TMDLs on September 14, 2010. (see 604b attachment files 3&4). The submission and approval of these TMDLs completed the SWQB PAMs commitments for FFY2010. This bundle included 14 nutrient TMDLs developed with 106 program funds with the previous years funding.

SWQB staff met with other NMED staff as well as Molzin-Corbin engineers for the Village of Chama on October 8, 2010 regarding the nutrient WLA for the Village. SWQB met internally on November 29, 2010 regarding the nutrient TMDLs. SWQB staff developed the 8 nutrient Rio Chama Watershed TMDLs. The 13 non-nutrient TMDLs were funded through the 604b grant. The pre-public comment draft of the Rio Chama TMDLs were distributed to EPA and SWQB staff for review on December 3, 2010 (see 604b attachment file 17). The document was also distributed to the Los Ojos Fish Hatchery staff as well as Molzin-Corbin engineering staff.

Table 2 (updated). *List of TMDLs in the Chama and Canadian watersheds to be developed in FY11. TMDL development is funded under both CWA §106 and §604(b); programs; funding source for each TMDL is documented in the first column.*

Watershed Funding Source	AU_ID	AU	FY 11 TMDL Parameter	No. of TMDLs
CWA §604(b) CWA §106	NM-2116.A_030	Canjilon Ck (Perennial portions Abiquiu Rsrv to headwaters)	Nutrients, temperature, specific conductance	4
CWA §604(b)	NM-2116.A_041	Rio Capulin (Rio Gallina to headwaters)	E.coli	1
CWA §604(b) CWA §106	NM-2116.A_000	Rio Chama (El Vado Reservoir to Rio Brazos)	E.coli, nutrients, temperature	4
CWA §604(b)	NM-2116.A_002	Rio Chama (Little Willow Creek to CO border)	E.coli, temperature	2
CWA §604(b) CWA §106	NM-2116.A_001	Rio Chama (Rio Brazos to Little Willow Creek)	E.coli, nutrients	3

CWA §604(b) CWA §106	NM-2116.A_110	Rio Chamita (Rio Chama to CO border)	E.coli, nutrients	3
CWA §604(b) CWA §106	NM-2115_20	Rio Puerco de Chama (Abiquiu Reservoir to HWY 96)	E.coli, nutrients, temperature	4
CWA §106	NM-2113_30	Rio Tusas (Rio Vallecitos to headwaters)	Nutrients	2
CWA §604(b)	NM-2120.A_835	Gold Creek (Comanche Creek to headwaters)	Temperature	1
CWA §604(b)	NM-2120.A_837	Holman Creek (Comanche Creek to headwaters)	Temperature	1
CWA §604(b)	NM-2120.A_839	LaBelle Creek (Comanche Creek to headwaters)	Temperature	1
CWA §604(b)	NM-2306.A_112	McCrystal Creek (North Ponil to headwaters)	Temperature	1
CWA §106	NM-2306.A_124	Middle Ponil Creek (Greenwood Creek to headwaters)	Nutrients	2
CWA §604(b) CWA §106	NM-2306.A_162	North Ponil Creek (Seally Canyon to headwaters)	Ra-226+228; Temperature, Gross alpha	3
			Total draft TMDLs for FY11	**32***

** This is above the 31 PAM commitment presented by EPA R6*

Please see the semiannual report for the 604b program for additional details as well as copies of deliverables associated with this task.

UPDATE January-June 2011 for TMDLs:

Please note only nutrient TMDLs are funded under the 106 program. Other TMDLs are funded through the 604b grant program.

The updated table below provides details on the TMDLs that have been drafted during this reporting period. TMDLs in the Chama watershed (19 total) were released for public comment, revised and presented to the WQCC for approval in early July. These TMDLs will be sent to EPA for review and approval shortly. The second bundle of TMDLs is for the Valle Vidal/Canadian watershed. This bundle was released for public comment in June of 2011 and we anticipate seeking WQCC approval in early August.

Watershed	AU_ID	AU	FY 2011 TMDL Parameter	No. of TMDLs	Status
Chama	NM-2116.A_030	Canjilon Ck (Perennial portions Abiquiu Rsrv to headwaters)	nutrients, temp, sp cond	2	WQCC approved 7/2011
Chama	NM-2116.A_041	Rio Capulin (Rio Gallina to headwaters)	E.coli	1	WQCC approved 7/2011
Chama	NM-2116.A_000	Rio Chama (El Vado Reservoir to Rio Brazos)	E.coli, nutrients, temp	4	WQCC approved 7/2011

Chama	NM-2116.A_002	Rio Chama (Little Willow Creek to CO border)	E.coli, temperature	2	WQCC approved 7/2011
Chama	NM-2116.A_001	Rio Chama (Rio Brazos to Little Willow Creek)	E.coli, nutrients	3	WQCC approved 7/2011
Chama	NM-2116.A_110	Rio Chamita (Rio Chama to CO border)	E.coli, nutrients	3	WQCC approved 7/2011
Chama	NM-2115_20	Rio Puerco de Chama (Abiquiu Reservoir to HWY 96)	E.coli, nutrients, temperature	2	WQCC approved 7/2011
Chama	NM-2113_30	Rio Tusas (Rio Vallecitos to headwaters)	nutrients	2	WQCC approved 7/2011
Valle Vidal	NM-2120.A_835	Gold Creek (Comanche Creek to headwaters)	Temp	1	6/2011 Public comment
Valle Vidal	NM-2120.A_837	Holman Creek (Comanche Creek to headwaters)	Temp	1	6/2011 Public comment
Valle Vidal	NM-2120.A_839	LaBelle Creek (Comanche Creek to headwaters)	Temp	1	6/2011 Public comment
Valle Vidal	NM-2306.A_112	McCrystal Creek (North Ponil to headwaters)	Temp	1	6/2011 Public comment
Valle Vidal	NM-2306.A_124	Middle Ponil Creek (Greenwood Creek to headwaters)	Nutrients	2	6/2011 Public comment
Valle Vidal	NM-2306.A_162	North Ponil Creek (Seally Canyon to headwaters)	Ra-226+228; Temp	1	6/2011 Public comment
Canadian	NM-2305.A_254	Uña de Gato Creek (Chicorica Creek to HWY 64)	Nutrients	2	6/2011 Public comment
Canadian	NM-2305.A_030	Uña de Gato Creek (HWY 64 to headwaters)	Nutrients	2	6/2011 Public comment
Canadian	NM-2305.A_000	Canadian River (Conchas River to Mora River)	E.coli	1	6/2011 Public comment
			Total	**31**	

TMDLs in **red** were originally submitted to EPA in August 2010 as part of FFY2011 TMDLs to be completed, but the 2 nutrient TMDLs were unnecessary due to delisting and SWQB will not pursue the Ra-226+228 TMDLs for North Ponil Creek.

TMDLs in **blue** were added to compensate for the TMDLs in red that were removed from the FFY2011 plans.

Please see the semiannual report for the 604b program for additional details as well as copies of deliverables associated with this task. These TMDLs can also be found at the following locations on our website:
http://www.nmenv.state.nm.us/swqb/Chama/Pt2/index.html
http://www.nmenv.state.nm.us/swqb/Canadian/Pt2/index.html
http://www.nmenv.state.nm.us/swqb/ValleVidal/

1.4 Supplemental Monitoring and Assessment Activities

New Mexico has received supplemental awards of CWA 106 funds which were used for monitoring and assessment activities. The activities were covered under separate work plans. Should additional funds become available, SWQB will submit separate and detailed work plans to address the proposed activities.

UPDATE (July 1 – December 31, 2010): **SWQB submitted a separate work plan and will report updates on these activities separately.**

UPDATE (January 1 – June 30, 2011): **SWQB submitted a separate work plan and will report updates on these activities separately.**

2.0 PERMITS, ENFORCEMENT AND COMPLIANCE (8 FTEs – 7 Compliance Evaluation and State Certification, 1 Operator Certification)

2.1 Introduction

The overarching goal of the SWQB's point source regulation activities is to protect public health and the environment. This goal is achieved by assuring that regulated point source discharges to surface waters of the State comply with appropriate State and federal statutes and regulations through compliance assistance, inspection and enforcement activities, and by reviewing proposed federal NPDES permits (CWA section 402 permits) for State certification to ensure that permit provisions are consistent with appropriate state law, implement the state Water Quality Management Plan and are adequate to protect the state's water quality standards. These duties are carried out in cooperation with EPA, currently the primary agency responsible for enforcing and administering NPDES permits in New Mexico.

It is anticipated that SWQB will continue to meet on a periodic basis with the EPA permits and enforcement staff to refine procedures to facilitate the NPDES permitting process and to discuss permitting and enforcement activities. An "NPDES Permitting Process and Coordination with State" flow chart has been developed and implemented. As a non-delegated state, SWQB works with EPA Region 6 to help ensure that EPA is able to complete its share of the following federal Performance Activity Measure commitments each year:

Related EPA Priority Performance Activity Measures (from draft FY11 National Water Program Guidance)

WQ-11	*Number, and national percent, of follow-up actions that are completed by assessed NPDES (National Pollutant Discharge Elimination System) programs. (cumulative)*
WQ-12a	*Percent of non-Tribal facilities covered by NPDES permits that are considered current.*
WQ-13a	*Number, and national percent, of MS-4s covered under either an individual or general permit.*

WQ-13b	*Number of facilities covered under either an individual or general industrial storm water permit.*
WQ-13c	*Number of sites covered under either an individual or general construction storm water site permit.*
WQ-13d	*Number of facilities covered under either an individual or general CAFO permit.*
WQ-14a	*Number, and national percent, of Significant Industrial Users (SIUs) that are discharging to POTWs with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements.*
WQ-14b	*Number, and national percent, of Categorical Industrial Users (CIUs) that are discharging to POTWs without Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements.*
WQ-15a	*Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year.*
WQ-15b	*Of the major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year, the number, and national percent, discharging pollutant(s) of concern on impaired waters.*
WQ-20	*Number of facilities that have traded at least once plus all facilities covered by an overlay permit that incorporates trading provisions with an enforceable cap.*

2.2 Compliance Evaluation

The primary purpose of the compliance evaluation program is to evaluate compliance with effluent limitations and other NPDES permit conditions. The information derived from this program is also applied to the interpretation of water quality trends and to other evaluation and planning functions as well as other water pollution control programs. Compliance evaluation may also include providing compliance assistance, not associated with compliance inspections, to the regulated community to reduce violations and improve compliance with all aspects of the permit/regulatory program.

SWQB has developed industrial and municipal inspection priority lists to best utilize available staff resources and, in coordination with EPA, to inspect selected municipalities and industries each year in an equitable and non-duplicative manner. To the extent practicable, SWQB inspection priorities will accommodate the current EPA inspection targeting goals. Multi-media inspection opportunities will be identified whenever possible.

A selected number of major and minor municipal and industrial dischargers are inspected annually, with sampling as necessary to ensure compliance with applicable effluent limitations, permit conditions, and state regulations and standards. The inspections are carried out using the EPA's NPDES inspection procedures as identified in either the EPA NPDES Compliance Inspection Manual (EPA 305-X-03-004, July 2004) or through EPA Compliance Inspector Training (e.g., courses offered through the EPA's National Enforcement Training Institute). The data collected as part of the NPDES compliance inspection program are used in compliance evaluation and in support of State or federal enforcement and permitting activities. Compliance inspections done by SWQB are also addressed in the SWQB QAPP.

The EPA has long recognized the SWQB inspectors as authorized representatives (pursuant to CWA §308(4)(B)) to perform compliance inspections on behalf of EPA. Historically, the EPA did not issue federal inspector credentials to the State's inspectors; rather State inspectors presented their state issued credential to initiate NPDES inspections. In 2007, EPA determined it is appropriate to authorize state inspectors more formally through a Federal Inspector Credential Authorization Agreement. The agreement serves as a guideline for the process and requirements for inspector certification as well as the performance of NPDES inspections done by the SWQB. Funding from this grant agreement will be used to support meeting the goals/needs of the Inspector Credential Authorization (e.g., training and record keeping).

Compliance Evaluation Inspections (CEIs):

- assess the adequacy of permittee's self-monitoring program;
- check records, laboratory procedures, flow measurements, O & M, and sampling procedures;
- review and document physical treatment facility condition;
- as appropriate, assess ancillary facilities such as sludge disposal areas, and lift stations/collection systems;
- give guidance and advice on NPDES requirements; and
- observe the status of NPDES-related construction.

Compliance sampling inspections (CSIs):

- include performance of all aspects of a CEI (see bulleted items above)
- collect representative samples of the effluent in accordance with the EPA approved Quality Assurance Project Plan for Water Quality Management Programs.
- sample data transferred to STORET

CAFOs: SWQB will coordinate with EPA to conduct NPDES related inspections on an as needed basis, and coordinate with other state and federal agencies, learning institutions, and industry representatives on the CAFO program.

Storm Water: SWQB anticipates increased activity in storm water related functions since the implementation of Phase II (March 2003). SWQB will continue to conduct numerous NPDES storm water compliance inspections, provide programmatic information to the regulated community and the public, and coordinate extensively with the EPA Region 6 permitting and enforcement staff. Section staff routinely answer numerous inquiries regarding the program. Section staff are able to provide locally accessible programmatic information to the regulated community thus promoting compliance.

Outputs

1. Conduct compliance evaluation inspections (CEIs) and compliance sampling inspections (CSIs) of selected industrial and municipal NPDES permittees. Inspect a minimum of 10 permittees determined through coordination between the EPA Compliance Assurance and Enforcement

Division and SWQB. Facilities may be "majors" or "minors" that assist EPA in meeting core NPDES program inspection frequency goals.

During FY11 only, NMED staff will also conduct a minimum of 15 additional CEIs of major and minor municipal and industrial dischargers in outlying areas of the state (outside of the local Santa Fe/Albuquerque areas). Travel costs for these inspections will be funded by the supplemental NPDES/Enforcement monies as shown in that work plan addendum

2. Conduct a minimum of 10 storm water inspections annually.

   During FY11 only, NMED staff will also conduct a minimum of 35 additional inspections of stormwater dischargers in outlying areas of the state (outside of the local Santa Fe/Albuquerque areas). Travel costs for these inspections will be funded by the supplemental NPDES/Enforcement monies as shown in that work plan addendum.

3. SWQB may conduct CAFO inspections on an as needed basis.

4. Summarize inspection information on the appropriate EPA NPDES compliance inspection report form(s) and forward the report to the EPA Enforcement Branch with a copy to the permittee, the appropriate NMED District Office, and the EPA Permits Branch upon request, within 30 days of completion of the inspection.

5. Attend one pretreatment program audit conducted by EPA staff or EPA contractors.

UPDATE (July 1 – December 31, 2010):

OUTPUT 1 – UPDATE: <u>CEI/CSI Inspections</u>

July 1, 2010 – December 31, 2010 NPDES Inspections Completed

<u>CEI/CSI Inspections</u>

Tucumcari WWTP*	***NM0020711***	***CEI***
South Central WWTP*	***NM0030490***	***CEI***
Silver City WWTP*	***NM0020109***	***CEI***
LA County Bayo WWTP*	***NM0020141***	***CEI***
Belen WWTP*	***NM0020150***	***CEI***
East Mesa Water Reclamation*	***NM0030872***	***CEI***
Grants WWTP*	***NMU001671***	***Recon***
Rio Rancho #2 WWTP*	***NM0027987***	***CEI***
LA County White Rock WWTP	***NM0020133***	***CEI***
Salem WWTP	***NM0030457***	***CEI***

Los Ojos Fish Hatchery	*NM0030139*	*CEI*
Gadsen Ind. School District	*NM0028487*	*CEI*
Chevron York Canyon Mine	*NM0000205*	*CEI*
Chevron Ancho Mine	*NM0030180*	*CEI*
Farmington Animas	*NM0000043*	*CEI*
SPS DC Terminal	*NM0029131*	*CEI*
Santa Fe County Judicial	*NM0031046*	*CEI*

Total Y-T-D = 17 *Majors = 8*
** = Majors*

FY11 Supplemental Funding was not received until January 2011.

OUTPUT 2 – UPDATE: Storm Water Inspections

July 1, 2010 – December 31, 2010 NPDES Inspections Completed

Storm Water Inspections

Los Alamos Bayo WWTP	*NMU001663*
East Mesa Water Reclamation Facility	*NMU001664*
Mesa Oil, Inc.	*NMR05GX38*
Smith and Aguirre Construction Co, Inc.	*NMR15FM67*
Logos Development, Inc.	*NMU001665*
First Community Bank, Albuquerque	*NMU001666*
Bank 34	*NMU001667*
John R. Curry Construction, Inc.	*NMR10GS57*
Lone Mountain Contracting, Inc.	*NMU001668*
Town of Taos	*NMU001669*
AUI, Inc.	*NMR10GP75*
Angel Fire PID	*NMU001670*
Town of Silver City	*NMR05GZ88*
City of Belen	*NMU001673*
Robert Medina and Sons	*NMU001674*
Chevron Mining/York Canyon Complex	*NMR05GE82*
Kitts Development LLC	*NMR15FE53*
Eker Brothers Santa Fe River Pit	*NMR05GD91*
Dona Ana County/South Central Regional WWTF	*NMU001675*
J & H Services, Inc.	*NMR10H157*
Guadalupe County	*NMU001677*
San Juan County	*NMU001679*
Shiya-Strephens Contracting Company	*NMR10GW11*
Olando Romero Lumber Milling	*NMU001678*
Bureau of Reclamation	*NMU001684*
Southwest Dakotah	*NMU001685*
New Mexico State Land Office	*NMU001682*
David Stanley-Bar 3S Ranch	*NMU001683*
Roadrunner Redi-Mix	*NMR05GI72*
A. S. Horner Inc.	*NMR10GX07*
Los Alamos County	*NMR10GX70*

Bumper to Bumper Auto Repair	*NMU001686*
US 70 Auto Salvage and Towing	*NMU001687*
Solo Auto Repair	*NMU001688*
Roswell Independent School District	*NMR10H312*
Holloway Construction	*NMR10H143*
Farmington Animas Power Plant	*NMR05B219*
RMCI, Inc.	*NMR10GY01*
City of Santa Rosa	*NMU001689*
Santa Fe Civic Housing Authority, Inc	*NMU001691*
Pavilion Construction LLC	*NMR10GX08*
Herzog Environmental, Inc.	*NMR05GB65*
Northeastern New Mexico Regional Landfill	*NMU001692*
The Brott Corporation	*NMU001693*
DKM Construction, Inc.	*NMU001694*
Southwest Carriage	*NMU001695*
Southwest Custom Acrylics	*NMU001696*
US Cotton LLC	*NMU001697*
Rio Rancho Iron Works	*NMU001699*
San Antonio Self Storage LLC	*NMR10GR04*
James Hamilton Construction	*NMR10G841*
Freeland, Inc.	*NMU001704*
Fisher Sand and Gravel	*NMR10GS27*
Constructors, Inc	*NMR05GD15*
Quality Recycling	*NMU001702*
C&B Recycling	*NMU001701*
Southeast Readi-Mix Products, Inc.	*NMU001703*
Lee County Sandpoint Landfill	*NMU001700*
Oso Biopharmaceutical Manufacturing Inc.	*NMR05GI78*
NMDOT District 3	*NMR10H548*
Mountain States Constructors	*NMR10H487*

Total Y-T-D = 61

FY11 Supplemental Funding was not received until January 2011.

OUTPUT 3 – UPDATE: CAFO Inspections

July 1, 2010 – December 31, 2010 NPDES Inspections Completed

No inspections requested during this period.

Total Y-T-D = 0

OUTPUT 4 – UPDATE: Inspection Reports Completed

All inspection reports have been forwarded to EPA and the permittee within 30 days of completion of the inspection.

Total Y-T-D = 78

OUTPUT 5 – UPDATE: Attend One Pretreatment Program Audit Conducted by EPA Staff or EPA Contractors.

No pretreatment program audits have been conducted by EPA to date.

Total Y-T-D = 0

UPDATE (January 1 –June 30, 2011):

OUTPUT 1 – UPDATE: CEI/CSI Inspections

January 1, 2011 – June 30, 2011 NPDES Inspections Completed

CEI/CSI Inspections

*Red River WWTP**	*NM0024899*	*CEI*
*Buckman Direct Diversion**	*NM0030848*	*CEI*
*Taos Town of WWTP**	*NM0024066*	*CEI*
PAA-KO Community Sewer Assn.	*NM0030724*	*CEI*
CNMCF	*NM0028851*	*CEI*
Town of Taos WTP	*NMU001727*	*CEI*
Rio Rancho Well #17	*NMU001733*	*CEI*
NMHU, Student Union, Geo. Wells	*NMU001737*	*CEI*
Makwa Builders, Inc.	*NMU001739*	*CEI*
Rio Rancho #3	*NM0029602*	*CEI*
Chama	*NM0027731*	*CEI*
Springer WWTP	*NM0030295*	*CEI*
Abiquiu	*NM0024830*	*CEI*
Bosque Farms	*NM0030279*	*CEI*
Mora Mutual	*NM0024996*	*CEI*
Santa Rosa	*NM0024988*	*CEI*
Rock Lake Fish Hatchery	*NM0030155*	*CEI*
Las Vegas Water Treatment Plant	*NM0030341*	*CEI*
Sacramento Methodist Assembly	*NM0028886*	*CEI*
Springer WTP	*NM0030627*	*CEI*
Oshara Village Water Reclm. Facility	*NM0030813*	*CEI*
Jemez Springs Schools	*NM0028479*	*CEI*
State Fire Training Academy	*NM0029726*	*CEI*
Mora National Fish Hatchery	*NM0030031*	*CEI*

Total Y-T-D = 41 *Majors = 11*
** = Majors*

FY11 Supplemental NPDES Funding.

CEI/CSI Inspections

*Carlsbad WWTP**	*NM0026395*	*CEI*
*Las Cruces/East Mesa WWTP**	*NM0030872*	*CEI*
City of Grants, Riverwalk Park	*NMU001732*	*CEI*
Morningstar Minerals Corporation	*NMU001743*	*CEI*
Animas Valley Land & Water Co., LLC	*NMU001744*	*CEI*
Ramah	*NM0023396*	*CEI*
Cannon AFB	*NM0030236*	*CEI*
San Juan Coal/San Juan Mine	*NM0028746*	*CEI*
Picacho Hills Utility	*NM0030821*	*CEI*

Total Y-T-D = 9 *Majors = 2*

OUTPUT 2 – UPDATE: Storm Water Inspections

January 1, 2011 – June 30, 2011 NPDES Inspections Completed

Storm Water Inspections

Airport Auto Acres, Inc.	*NMR05GF88*
Santa Fe Concrete Company	*NMU001705*
Allan Houser, Inc.	*NMU001707*
Santa Fe Bronze	*NMU001706*
Western Organics	*NMR05GW56*
BTU Block & Concrete	*NMU001708*
Las Vegas WWTP MSGP	*NMR05H827*
Star Paving/Santa Fe County	*NMR10H876*
Star Paving/Santa Fe County	*NMR10H910*
Summit Industries	*NMU001710*
Firewheel Casting	*NMU001709*
Las Vegas, City of	*NMU001713*
Sangre de Cristo Gravel Products, LLC, Las Vegas	*NMU001714*
City of Belen WWTP	*NMR05H808*
Ojo Caliente Holdings, Inc.	*NMU001715*
Souder Miller & Associates	*NMR10H618*
AUI Inc.	*NMR10GV96*
Town of Taos	*NMU001711*
CH2MHILL	*NMU001712*
Town of Taos	*NMR05GX03*
Black Mesa Winery	*NMU001718*
Vivac Winery	*NMU001717*
City of Rio Rancho	*NMR10H066*
Mountain States Constructors	*NMR10H076*
AMAFCA	*NMR10H113*
Enchanted 528 Development	*NMR10H765*
Brycon Construction	*NMR10HD05*
Sundance Mechanical Utilities	*NMR10H672*
City of Rio Rancho	*NMR10HD41*

TLC	*NMR10HC35*
Sandia View LLC	*NMR10HC50*
Faith Construction Inc.	*NMR10HD16*
Dollar General Corporation	*NMU001734*
VP Construction	*NMU001735*
Melvin Varela	*NMU001736*
Makwa Builders LLC	*NMR10H379*
New Mexico Highlands University	*NMU001738*
SWBB, Inc.	*NMU001747*
PNM-Las Vegas Solar Energy Center	*NMR10HC67*

Total Y-T-D = 100

FY11 Supplemental NPDES Funding

PNM/San Juan Generating Station	*NMR05GF19*
Rezolex, Ltd. Co.	*NMU001716*
Luchini's Towing and Salvage	*NMR05GG07*
Olam Spices and Vegetables, Inc.	*NMR05H566*
Las Cruces International Airport	*NMU001719*
Dona Ana County Airport	*NMR05HA78*
Cannon Air Force Base	*NMU001720*
City of Clovis, WWTP	*NMU001722*
City of Clovis, Regional Solid Waste Facility	*NMU001723*
Clovis Concrete Co., Inc.	*NMU001724*
Great Lakes Aviation, LTD.	*NMU001725*
Francisco Chavarria dba Clovis Recycling	*NMU001726*
BNSF Railway Company	*NMR05GP82*
Hwy. 64 Truck & Auto Salvage	*NMR05GZ85*
Four Corners Regional Airport	*NMR05GC99*
Bluffview Power Plant	*NMR05H610*
B&B Ready Mix	*NMU001729*
Carlsbad WWTP MSGP	*NMU001728*
Bonnell Sand & Gravel	*NMR05GB39*
Alpine Concrete	*NMR05GE09*
Sierra Blanca Regional Airport	*NMR05GF94*
FNF, Inc. Airport Hot Plant	*NMU001740*
Morningstar Minerals Corporation	*NMU001745*
Sky Ute Sand & Gravel, LLC	*NMR05GC40*
Farmington Iron & Metal, Inc.	*NMU001746*
F & A Dairy Products, Inc.	*NMR05GF46*

Total Y-T-D = 26

OUTPUT 3 – UPDATE: CAFO Inspections

January 1, 2011 – June 30, 2011 NPDES Inspections Completed

No inspections requested during this period.

Total Y-T-D = 0

OUTPUT 4 – UPDATE: Inspection Reports Completed

All inspection reports have been forwarded to EPA and the permittee within 30 days of completion of the inspection.

Total Y-T-D = 176

OUTPUT 5 – UPDATE: Attend One Pretreatment Program Audit Conducted by EPA Staff or EPA Contractors.

No pretreatment program audits have been conducted by EPA to date.

Total Y-T-D = 0

2.3 State Certification

Pursuant to Section 401 of the CWA, NMED, on behalf of the State of New Mexico, certifies Section 402 NPDES permits as specified in section 74-6-4.E of the New Mexico Water Quality Act. In so doing, it is necessary to ensure that permit requirements are compatible with appropriate State laws, protect State adopted water quality standards and implement the State's water quality management plan. The process for State certification is strictly defined in the 40 CFR 124.53(e).

SWQB works in partnership with EPA's permit writers to help assure they have accurate information pertinent to setting permit effluent limits before a permit is proposed, thereby improving the efficiency of the permit issuance process and also aiding State certification. SWQB will continue to work with EPA Region 6 to assure timely issuance/reissuance of NPDES permits in New Mexico.

New Mexico's surface water quality standards are being continuously reviewed and revised as necessary. Accordingly, SWQB, as needed, consults with EPA to facilitate permit drafting in light of changing water quality standards to assure permits drafted by EPA are consistent with such revisions. Additionally, SWQB will continue to provide consultation to EPA permit writers, and can review information developed and provided by EPA for concurrence and quality assurance. On a case-by-case basis, SWQB can assist EPA by helping research and providing additional information such as critical low-flow (4Q3), water quality data information of receiving waters including hardness, TSS, and pollutant concentration background data; applicable water quality standards and water quality standards interpretations (if necessary); and other relevant information.

Outputs

1. Supply or review pertinent information for proposed draft permits from a prioritized list supplied by EPA, as limited by the manpower allocated to this work element.

2. Provide state certification of NPDES permits in writing, and in accordance with applicable federal regulations and provisions of the CWA.

Certification letters, forms and comments will be submitted to EPA within 30 days of SWQB's receipt of the draft permit unless an extension has been requested and granted by EPA. Certification extensions will be requested at least 2 days prior to the 30-day deadline.

3. Continue to implement the "NPDES Permitting Process and Coordination with State" procedure, or its subsequent mutually developed revisions, during the grant period.

4. SWQB will continue to work with EPA, the Department of Energy, and Los Alamos National Laboratory (LANL) to develop a broad based approach to LANL storm water issues utilizing NPDES permits, TMDLs, nonpoint source programs.

UPDATE (July 1 – December 31, 2010):

OUTPUT 1 – UPDATE: Supply or Review Pertinent Information for Proposed Draft Permits.

Although not tracked, to the extent practicable, pertinent information was supplied or reviewed as appropriate per EPA request.

OUTPUT 2 – UPDATE: State NPDES Permit Certifications

July 1, 2010 – December 31, 2010 State Certifications Completed

Santa Fe County Valle Vista	*NM0028614*	*7/1/10*
Rio Grande Resources	*NM0028100*	*7/1/10*
PNM Person	*NM0030384*	*7/1/10*
Lee Ranch Coal/Lee Ranch Mine	*NM0029581*	*7/26/10*
Albuquerque MS4	*NMS000101*	*7/26/10*
Rio Rancho #2	*NM0027987*	*9/1/10*
Socorro WWTP	*NM0028835*	*9/1/10*
Raton Water Filtration	*NM0029891*	*9/1/10*
Rio Rancho #3	*NM0029602*	*9/1/10*
GCC Rio Grande	*NM0000116*	*9/29/10*
Central NM Correctional Facility	*NM0028851*	*9/29/10*
PNM San Juan Generating Station	*NM0028606*	*12/22/10*

Total Y-T-D = 12

OUTPUT 3 – UPDATE: Continue to Implement the "NPDES Permitting Process and Coordination with State" Procedure.

SWQB continues to assist EPA in implementing this procedure.

OUTPUT 4 – UPDATE: Continue to Work with EPA, the Department of Energy, and Los Alamos National Laboratory.

SWQB continues to work with EPA, the Department of Energy, and Los Alamos National Laboratory (LANL) to develop a broad based approach to LANL storm water issues utilizing NPDES permits, TMDLs, nonpoint source programs.

UPDATE (January 1 – June 30, 2011):

OUTPUT 1 – UPDATE: Supply or Review Pertinent Information for Proposed Draft Permits.

Although not tracked, to the extent practicable, pertinent information was supplied or reviewed as appropriate per EPA request.

OUTPUT 2 – UPDATE: State NPDES Permit Certifications

January 1, 2011 – June 30, 2011 State Certifications Completed

Resurrection Mining/ Rio Puerco Mine	*NM0028169*	*3/3/2011*
Rio Algom Mining/Ambrosia Lake	*NM0020532*	*3/3/11*
Holloman Air Force Base	*NM0029971*	*3/30/11*
Lac Minerals Inc	*NM0028711*	*3/30/11*
Red River, Town of/WWTP	*NM0024899*	*3/30/11*
Farmington/Animas Steam Plant	*NM0000043*	*4/27/11*
BOR Navajo Gallup Water Pilot Plant	*NM0031089*	*1/20/11*
Cannon Air Force Base	*NM0030236*	*6/16/11*
Los Alamos County/White Rock	*NM0020133*	*6/16/11*
Construction General Permit	*NMR100000*	*6/13/11*
Pesticide General Permit		*1/27/11*

Total Y-T-D = 23

OUTPUT 3 – UPDATE: Continue to Implement the "NPDES Permitting Process and Coordination with State" Procedure.

SWQB continues to assist EPA in implementing this procedure.

OUTPUT 4 – UPDATE: Continue to Work with EPA, the Department of Energy, and Los Alamos National Laboratory.

SWQB continues to work with EPA, the Department of Energy, and Los Alamos National Laboratory (LANL) to develop a broad based approach to LANL storm water issues utilizing NPDES permits, TMDLs, nonpoint source programs.

2.4 Enforcement

State enforcement of point source dischargers is accomplished under the authority of the NM Ground and Surface Water Protection Regulations (20.6.2 NMAC) adopted by the Water Quality Control Commission (WQCC) and other appropriate State statutes (e.g.,

Water Quality Act and Public Nuisance Act). Enforcement at NPDES-permitted facilities is contingent upon meeting the applicability requirement of Section 2100 of these regulations, or on the discharge resulting in a violation of a state water quality standard or regulation. The regulatory applicability clause is designed to prevent dual regulation by state and federal government but allows the State to act in cases where the federal program has been unable to gain compliance within a prescribed time. The State may enforce provisions of the regulations prohibiting disposal of refuse in a watercourse (Section 2201), which are not subject to the applicability clause. The Department has authority to issue compliance orders, including penalties, for any discharge that results in a violation of a water quality standard (20.6.4 NMAC) or regulation.

Outputs

1. Assist the EPA in its enforcement actions by providing compliance data or inspection-related information as needed.

2. Conduct state enforcement for a discharge resulting in a violation of a state water quality standard or regulation (e.g., prohibiting disposal of refuse in a watercourse) on an as needed basis.

UPDATE (July 1 – December 31, 2010):

OUTPUT 1 – UPDATE: Provide Enforcement Assistance to EPA.

As above, SWQB provides EPA with reports that document findings of compliance inspections conducted by SWQB on behalf of EPA. These inspections are used by EPA to determine compliance with the NPDES permitting program in accordance with requirements of the federal Clean Water Act. In addition, SWQB regularly works with EPA enforcement officers to provide additional information and clarification regarding on-going or contemplated enforcement actions, including conducting occasional requested follow-up inspections or site visits.

OUTPUT 2 – UPDATE: Conduct State Water Quality Act Enforcement.

A Notice of Violation and Proposed Penalty was issued to Los Alamos County for violations of the State's water quality standards and disposal of refuse in a watercourse. Resolution of this action continues.

An Administrative Compliance Order and Proposed Penalty was issued to Harold Daniels for disposal of refuse (tires) in a surface watercourse. Resolution of this action continues.

UPDATE (January 1 – June 30, 2011):

OUTPUT 1 – UPDATE: Provide Enforcement Assistance to EPA.

As above, SWQB provides EPA with reports that document findings of compliance inspections conducted by SWQB on behalf of EPA. These inspections are used by EPA to determine compliance with the NPDES permitting program in accordance with requirements of the federal Clean Water Act. In addition, SWQB regularly works with EPA enforcement officers to provide additional information and clarification regarding on-going or contemplated enforcement actions, including conducting occasional requested follow-up inspections or site visits.

OUTPUT 2 – UPDATE: Conduct State Water Quality Act Enforcement.

A Notice of Violation and Proposed Penalty was issued to Los Alamos County for violations of the State's water quality standards and disposal of refuse in a watercourse. Resolution of this action continues.

An Administrative Compliance Order and Proposed Penalty was issued to Harold Daniels for disposal of refuse (tires) in a surface watercourse. Resolution of this action continues.

2.5 DMR Quality Assurance Coordination

SWQB will continue to provide state coordination for EPA's Discharge Monitoring Reports (DMR) Quality Assurance Program studies, which check NPDES permittees' laboratory competence through required analyses of blind check samples. The bureau will provide technical guidance to study participants regarding laboratory procedures and EPA / WQCC approved methodologies and will provide follow-up contacts as requested by study participants receiving "check for error" or "not acceptable" results, to assure that permittees identify and correct sources of error.

Outputs

1. Provide state coordination for DMR-QA studies.

UPDATE (July 1 - December 31, 2010):

OUTPUT 1: DMR QA State Coordination.

- ***SWQB helps assure that correct contact information is available to EPA, the Contract Laboratory Provider, and the permittees. SWQB is also involved in the study development phase of the DMR-QA program each year. This is usually conveyed verbally by phone, or by email.***
- ***SWQB is the primary contact and recipient of study information from permittees by the DMR-QA Program. SWQB coordinates with***

permitted facilities who are either required to take part in the DMR-QA Laboratory study or who take part voluntarily in the program, regarding deadlines, required analyses, approved methods for analysis, and any other pertinent questions. This assistance is usually verbal by phone, or by email.

- *SWQB reviews the study results and notifies the permittees of additional action required by them if necessary. This notification is usually verbal, by phone, or by email.*
- *SWQB, upon completion of the study review, notifies EPA Region 6 Compliance, Permits, and Enforcement Branches of any concerns about facilities due to the results of the DMR-QA study. This notice is informal either by email, or verbally by phone.*

UPDATE (January 1 -June 30, 2011):

OUTPUT 1: DMR QA State Coordination.

- *SWQB helps assure that correct contact information is available to EPA, the Contract Laboratory Provider, and the permittees. SWQB is also involved in the study development phase of the DMR-QA program each year. This is usually conveyed verbally by phone, or by email.*
- *SWQB is the primary contact and recipient of study information from permittees by the DMR-QA Program. SWQB coordinates with permitted facilities who are either required to take part in the DMR-QA Laboratory study or who take part voluntarily in the program, regarding deadlines, required analyses, approved methods for analysis, and any other pertinent questions. This assistance is usually verbal by phone, or by email.*
- *SWQB reviews the study results and notifies the permittees of additional action required by them if necessary. This notification is usually verbal, by phone, or by email.*
- *SWQB, upon completion of the study review, notifies EPA Region 6 Compliance, Permits, and Enforcement Branches of any concerns about facilities due to the results of the DMR-QA study. This notice is informal either by email, or verbally by phone.*

2.6 Operator Certification Program

INTRODUCTION

The goal of the Utility Operator Certification Program (implemented by the SWQB Facility Operations Team) is to protect public health and the environment, foster the implementation of pollution prevention activities, and protect public investment in infrastructure by ensuring the proper operation and maintenance of public drinking water systems and wastewater treatment facilities. The Program seeks to improve the operation and maintenance activities performed at public water and wastewater facilities through activities such as utility operator certification, enforcement of the New Mexico Utility Operator Certification Regulations (20.7.4 NMAC), training support and evaluation, operations management evaluations (OMEs) and technical assistance. The Regulations require all public water and wastewater utilities to have certified operators; the type and level of certification is dependant upon population served and process complexity.

Certification of individual operators is based on meeting prerequisite amounts of training and experience and successful completion of a written examination. The Operator Certification Program is administered primarily by the SWQB Facility Operations Team. Proper operation of these facilities contributes to improved compliance with Clean Water Act requirements at NPDES permitted facilities.

The Program consists of four FTEs. The 106 grant would support one FTE (the Team Leader) while other State funding sources will support the remaining FTEs and services (e.g., contracts). Since the efforts of one individual of the team cannot be segregated from the team effort, outputs described below reflect the product of the entire team.

OPERATOR CERTIFICATION ADMINISTRATION

The Operator Certification Program currently certifies approximately 4,200 water and wastewater utility operators in New Mexico.

Examinations are developed by the Program based on "need-to-know" criteria for each of the utility classifications in the regulations. The need-to-know criteria and examination items are regularly reviewed with the NM Utility Operators Certification Advisory Board and other experts in the field to assure their technical validity. Exam items are formally validated by at least two separate groups of subject matter experts before being used in examinations. Examination items are maintained in a database, which facilitates statistical evaluation and the generation of revised examinations. The Program administers exams at various sites throughout the State to accommodate participation.

The Program maintains computer and file records on all certified operators. The renewal of certificates occurs on a triennial basis and requires that the operator complete the equivalent of three continuing education units (CEUs). The Team tracks the continuing education history of each certified operator.

Outputs

- The Operator Certification Program will conduct seven examination sessions at various locations around the state.
- The Operator Certification Program will grade and distribute a minimum of 800 examination results from the test sessions.
- The Operator Certification Program will prepare testing statistics for each of the test sessions and for each fiscal year as a whole. These will be provided to members of the Utility Operators Certification Advisory Board and, upon request, the New Mexico Water Quality Control Commission.
- The Operator Certification Program will continue to maintain and upgrade database files for all certified water and wastewater utility operators.

OPERATOR CERTIFICATION REGULATIONS ENFORCEMENT

Facility staffing surveys involve intensive investigations of the staffing patterns of public water supplies and wastewater treatment facilities throughout the State. The process is initiated through the use of a "Utility Operators Listing" which must be completed by the utility and submitted to the Operator Certification Program for review. This listing is used by the Operator Certification Program to:

- assess 20 systems for the adequacy of the water or wastewater utility staffing;
- determine the population served by the utility and the treatment processes employed, thereby allowing the utility to be classified in terms of the complexity and size specifications in the regulations; and
- determine the pattern of shift operations for the facility and the staffing pattern for each shift.

The results of facility staffing surveys can serve as the basis of enforcement actions taken by the Bureau pursuant to the Utility Operator Certification Regulations and the New Mexico Utility Operators Certification Act. Utilities not in compliance with the regulations are notified of all specific violations and are given an opportunity to voluntarily comply through a negotiated "schedule of compliance." Legal assistance may be required at any step in this process or to pursue further enforcement actions if a utility does not meet its compliance schedule.

The Program also may take enforcement action in cases where certified operators have demonstrated incompetence or malfeasance in operational duties. In such cases, the Program may seek voluntary certificate relinquishment by the operator, or formal suspension or revocation by the Water Quality Control Commission. Legal assistance is required in all cases.

The Operator Certification Program maintains a comprehensive wastewater facility database to efficiently track information on wastewater facility treatment technologies, effluent and residuals disposal methodologies, operations staffing, and status of compliance with the certification regulations. The Program maintains a similar database on public water supply systems to track operations staffing and compliance with the certification regulations. This database will be used in coordination with the database on public water supplies maintained by the NMED Drinking Water Bureau.

Outputs

1. The Operator Certification Program will conduct and follow-up on 10 facility staffing surveys for all public water and wastewater utilities systems.
2. The Operator Certification Program will maintain databases and other records on public water supply and wastewater treatment facility compliance with the Utility Operator Certification Regulations.
3. In cooperation with the Department's Office of General Counsel, the Operator Certification Program will, as needed, prepare enforcement-related correspondence to non-compliant communities.

OPERATOR TRAINING SUPPORT

The Utility Operator Certification Regulations require certain amounts of approved training to qualify for initial certification or certificate renewal (certificates are renewed on a three year interval). The goal is to assure that all certified operators receive initial and continuing training that gives them the knowledge needed to effectively and efficiently operate and maintain their utilities. The Operator Certification Program is involved in many activities to improve the quality and quantity of training available to operators.

The Operator Certification Program evaluates all water and wastewater utility operator training in New Mexico to consistently assign training credits under the Utility Operator Certification Regulations. Training sessions are offered across the State by various providers. These sessions include:

- "short schools", seminars and workshops conducted by professional water and wastewater organizations such as the New Mexico Water and Wastewater Association or the New Mexico Rural Water Association,
- workshops conducted by other approved training providers,
- approved in-house training sessions conducted by the utilities, and
- start-up training provided by consultant engineering firms in conjunction with a utility construction project.

The Team Leader evaluates training for technical accuracy and pertinence to the need-to-know criteria for water and wastewater utility operator certification. Intensive on-site evaluations involve auditing classes in addition to reviews of the instructor qualifications and course content information required for all training submitted for credit toward operator certification. Approved courses are assigned training credits by the Operator Certification Program Team Leader, and the credits are recorded for all operators who complete the courses.

The Program will continue to consult with the various training providers in the State to assess training needs and to improve the quality and quantity of training and technical assistance available to water and wastewater utility operators in the State. Instructional support will be provided by Team staff when it can be done in conjunction with certification examination administration or training evaluations.

Outputs

1. The Operator Certification Program will conduct four full on-site training evaluations.
2. The Operator Certification Program will review all submitted utility operator training course information submitted during the FY, and will assign credits for entry into the records of certified operators.
3. The Operator Certification Program will provide operator training instructional

support in conjunction with training evaluations or examination administration.

UPDATE

NMED-SWQB Activities: July 1, 2009 to December 31, 2010

1st and 2nd Quarters

NMWWA SW Section Workshop and Examination Session Training session provided 13.5 hours of training per operator	*Grants*	*07/23/10*
Published Water & Wastewater Operators News Letter	*State Wide*	*10/2010*
NMWWA Central Short School and Examination Session Training session provided 26 hours of training per operator	*Albuquerque*	*09/17/2010*
NMWWA Executive Board Meeting	*Albuquerque*	*08/20/2010*
NM Water Quality Control Commission adopts 20.4.7.13 and 14 of the Utility Operator Certification Regulations	*Santa Fe*	*11/20/2010*
NMWWA Central Short School and Examination Session	*Albuquerque*	*09/17/2010*
NMWWA NE Section Workshop and Examination Session Training Session provided 13.5 hours of training per operator	*Espanola*	*10/15/2010*
NM Advisory Board Meeting	*Albuquerque*	*09/16/2010*
Attended NMWWA Executive Board Meeting	*Albuquerque*	*11/04/2010*
assess 8 systems for the adequacy of the water or wastewater utility staffing	*Albuquerque*	*10/06/2010*
NMWWA Central Section Workshop and Examination Session	*Albuquerque*	*11/06/2010*
Conducted 2 Operator Training Evaluations	*Grants and Espanola*	*07/22/2010 10/14/2010*
UOC Program conducted 9 Facility Operation Surveys	*State Wide*	*08/2010*
UOC Program has coordinated with General Counsel on 3 Facilities for enforcement of the UOC Regulations	*State Wide*	*10/2010*

UPDATE (January 1 -June 30, 2011):

3rd and 4th Quarters 2011

NMWWA Annual Short School and Examination Session Training session provided 26.0 hours of training per operator	*Las Cruces*	*01/26/2011*
Published Water & Wastewater Operators News Letter	*State Wide*	*03/01/2011*
NMWWA Northwest Workshop and Examination Session Training session provided 14 hours of training per operator	*Farmington*	*03/18/2011*
NMWWA Executive Board Meeting	*Las Cruces*	*01/23/2011*
UOC Program/DWB Water Sampling Training 10 hrs.	*Albuquerque*	*02/10/2011*
NMWWA Central Short School and Examination Session Training session provided 26.0 hours of training per operator	*Albuquerque*	*04/14/2011*
NM Advisory Board Meeting	*Las Cruces*	*01/27/2011*
NMWWA NE Section Short School and Examination Session	*Espanola*	*05/20/2011*

Training session provided 26.0 hours of training per operator		
Attended NMWWA Executive Board Meeting	*Albuquerque*	*03/18/2011*
assess 15 systems for the adequacy of the water or wastewater utility staffing	*State Wide*	*01/01/2011 06/30/2011*
NMWWA NW Section Workshop and Examination Session Training session provided 14.0 hours of training per operator	*Ruidoso*	*06/17/2011*
UOC Program review 1 Training Sessions In Albuquerque 26 hrs of training provided.	*Albuquerque*	*04/11/2011 04/13/2011*
UOC Program reviewed 1 training Session in Santa Fe 7 hrs.	*Santa Fe*	*10/21/2010*
UOC Program has logged in app. 32000 hours of training in the data system.	*State wide*	*01/01/2011 06/30/2011*

2.7 Supplemental Permits and Enforcement Activities

In FY11 New Mexico anticipates receiving $79,900 in supplemental CWA 106 funds which will be used for permits and enforcement activities. The activities will be covered under separate work plan addendum. Should additional funds become available, SWQB will submit separate and detailed work plans to address the proposed activities.

UPDATE (July 1 – December 31, 2010): **SWQB submitted a separate work plan and will report updates on these activities separately. The first report will occur in the next reporting period.**

UPDATE (January 1 -June 30, 2011): SWQB has prepared a separate report on these activities.

3.0 WATER QUALITY STANDARDS (2.12 FTEs)

3.1 Introduction

Periodic review of water quality standards is required by the Clean Water Act, federal regulation and the NM Water Quality Act. SWQB undertakes timely triennial reviews, pursues interim standards rulemakings, develops proposals and detailed justifications, and conducts public involvement efforts related to standards proposals. SWQB also updates the Water Quality Management Plan as needed. These efforts are coordinated with monitoring and assessment activities described in Section 1.

The Quality Management Plan for New Mexico Environment Department Surface Water Quality Bureau Environmental Data Operations (QMP) describes the quality system for planning, implementing, documenting, and assessing the effectiveness of SWQB's activities. The *Quality Assurance Project Plan* (QAPP) describes SWQB's data collection procedures and quality assurance and quality control activities. It ensures that the environmental data collection efforts conducted by SWQB are consistent, coordinated, and integrated. SWQB's quality assuance officer oversees the update and implementation of the QAPP.

SWQB strives to ensure that the state completes its share of the following federal Performance Activity Measure commitments related to water quality standards each year.

Related EPA Performance Activity Measures

WQ-1a	*Number of numeric water quality standards for total nitrogen and for total phosphorus adopted by States and Territories and approved by EPA*
WQ-1b	*Number of numeric water quality standards for total nitrogen and total phosphorus at least proposed by States and Territories*
WQ-1c	*Number of States and Territories supplying a full set of performance milestone information to EPA concerning development*
WQ-3a	*Number, and national percent, of States and Territories that within the preceding three year period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific information from EPA or other resources not considered in the previous standards.*
WQ-4a	*Percentage of submissions of new or revised water quality standards from States and Territories that are approved by EPA.*

3.2 Water Quality Standards

The WQCC approved triennial review amendments at its July 2010 meeting. Approval of a statement of reasons at a future meeting will constitute the state's final action, and SWQB will submit the revised standards for EPA approval within 30 days thereafter.

In addition to concluding the triennial review, SWQB will continue to evaluate other needed changes to the water quality standards and to prepare future proposals for interim rulemakings between triennial reviews. WQS staff are currently initiating two UAAs – one for the Dry Cimarron River and the other for Galisteo Creek, a tributary to the middle Rio Grande. Both streams may be misclassified with respect to the aquatic life use. Public meetings are being scheduled in August, and SWQB anticipates distributing draft UAAs for public and EPA comment later in the fall. Another priority issue is the development of a provision authorizing temporary criteria ("variances" in EPA guidance). Prioritization of these or other potential changes is an ongoing process. Development of numeric nutrient criteria remains a high priority and is proceeding under separate funding. Likewise, ongoing development of the wetlands program, including water quality standards, is proceeding primarily under separate funding. However, standards staff are engaged with the effort to ensure that water quality standards requirements are given appropriate consideration. SWQB intends to continue close coordination with EPA in developing any proposals and necessary justification.

Outputs

1. Submit triennial review amendments and supporting documentation to EPA for approval.

2. Respond to EPA questions/concerns about the triennial review submission.

3. Conduct public outreach and complete UAAs for the Dry Cimarron River and Galisteo Creek. If the UAAs provide sufficient justification for a standards change, submit to EPA for technical approval by December 31, 2010.

4. Develop plans and supporting documentation for future highest-priority standards amendments.

UPDATE (July 1 – December 31, 2010): The WQCC approved the triennial review amendments at its July meeting and then approved a Statement of Reasons for Amendment of Standards on October 14. The amendments became effective for state purposes on December 1, and the water quality standards submission to EPA was dated December 9. See attached cover letter and list of documents that were submitted. Pam Homer responded to a few e-mail inquiries before the end of the year from Russell Nelson as he began his review of the submission.

Tim Michael conducted a public meeting about the Dry Cimarron UAA in Folsom on August 12. He also continued his statewide analysis of water thermograph data to characterize the relationship between air and water temperatures that can be used to help identify attainable aquatic life uses. The draft UAA and air-water correlation were forwarded to Russell Nelson on January 1, 2011. See attached.

Deby Sarabia conducted a public meeting about the Galisteo UAA in Eldorado on October 7. She and Tim Michael also did additional field work to identify perennial reaches in this watershed. If EPA views the air-water correlation favorably, this approach will also be used for completing the Galisteo UAA.

UPDATE (January 1 – June 30, 2011): **Deby Sarabia with assistance from MAS staff developed a preliminary draft proposal for classifying lakes.** ***Some lakes are being moved from stream segments into lake segments while others are being moved from unclassified status into classified segments. Some will receive increased protection for aquatic life or recreation uses; all will be easier to identify in the standards.***

Tim Michael finalized the air-water correlation document after addressing comments received in June 2011 from Russell Nelson. See attached final document. We expect this document to greatly assist in the development of UAAs to address misclassified streams.

Tim Michael also began work on a proposal to classify the currently unclassified reach of the Santa Fe River. As part of that effort, he conducted Hydrology Protocol evaluations at several sites along the river.

Tim Michael and Pam Homer met with representatives from Freeport-McMoRan regarding possible UAAs for the Chino Mine, and responded to two proposed UAA workplans (attached).

Pam Homer prepared a letter to EPA (attached) in response to the Record of Decision on the triennial review, pertaining in particular to new hardness-based criteria for aluminum, cadmium and zinc.

3.3 Quality Assurance

Quality assurance is a bureau-wide enterprise requiring all staff to be familiar with, implement and suggest refinements to the QMP and QAPP. Both documents are reviewed and updated annually as needed.

Outputs

1. Review and update the QMP as necessary and submit to EPA by September 30, 2010.

2. Review and update the QAPP as necessary and submit to EPA by January 31, 2011

UPDATE (July 1 – December 31, 2010): Tim Michael, who has been acting QA Officer since May 2009, submitted the QMP to EPA for approval on September 17. It was approved on September 30. Besides updates to the organizational chart, this QMP is essentially unchanged from the previous QMP. A second paragraph was added in Element 4 under Procurement Using Grant Funding to stress that monitoring done under EPA funding requires an approved QAPP. In Element 7, two paragraphs were added under Application and Relationship to QAPP to highlight the need for a planning process and a QAPP.

A new Quality Assurance Officer, Jodey Kougioulis, was hired as of November 13. (Part of this position is dedicated to database management – see Section 4.3.) He has extensive surface water experience, and is learning his new responsibilities quickly. He is working on the upcoming QAPP update, in particular, developing and incorporating new procedures for verification/validation of datasets based on the capabilities of the new SWQB database. He and Tim are coordinating to complete the QA Report and QAPP for submission to EPA by the end of January 2011.

UPDATE (January 1 – June 30, 2011): Jodey Kougioulis completed the QA Report for calendar year 2010 (attached) and the 2011 QAPP and submitted them to EPA before the January 31 deadline. The QAPP was approved by EPA on March 25 and is available at http://www.nmenv.state.nm.us/swqb/qapp/. Jodey also reviewed or co-authored numerous updated SOPs.

4.0 FINANCE & ADMINISTRATION (1 FTEs)

4.1 Introduction

SWQB's financial management focuses on the Bureau's financial processes, in particular, procurement, contracts, grant management, budget oversight and related personnel issues.

4.2 Financial Support for Surface Water Quality Bureau Programs

Methods to ensure proper financial controls and oversight of Bureau programs are implemented by SWQB financial and administrative staff. Continued fiscal control is needed to ensure that all project records comply with Federal, State and NMED regulations, policies and procedures and EPA associated grant requirements.

Outputs

1. Implement fiscal policies and accounting procedures to ensure proper financial controls and oversight for Surface Water Quality Bureau programs are in compliance with Federal and State regulations.

UPDATE (July 1 – December 31, 2010): NMED continues to develop new reporting tools in the states financial system "SHARE". Payroll is regularly and routinely posted, reviewed for accuracy and corrections submitted for correction if necessary. Also, purchase orders, accounts payable, RFP's and contracts are processed in accordance with NM State Procurement Code and are authorized using federal guidelines.

UPDATE (January 1 – June 30, 2011): same as previous update.

2. Consult with program staff, management, EPA administrators, department financial administrators, and auditors to identify financial management problems, constraints, and conditions, & develop and implement acceptable solutions.

UPDATE (July 1 – December 31, 2010): Routine meetings are held with management to discuss budget constraints and grant objectives. Monthly budget status reviews are conducted and full reconciliation efforts are conducted to assure budget accuracy and correct general ledger reporting. NMED had an annual review with an independent audit firm. SWQB staff met with the auditors to outline business practices identifies reporting tools and discussed RFP procedures.

UPDATE (January 1 – June 30, 2011): same as previous update.

3. Inform and train all relevant SWQB financial staff with proper procedures for preparing financial documents, including budgets, purchases, grant applications, professional services contracts, and joint powers agreements.

UPDATE (July 1 – December 31, 2010): Existing financial staff are experienced with NM State Procurement Code, contracts and RFP process. Grants are routinely reviewed for compliance with the fiscal requirements and to align with grant deliverables. Staff can improve their federal knowledge by seeking federal fiscal and grant reporting courses. NMED staff will seek affordable training that is relevant to federal procurement and grant reporting requirements.

UPDATE (January 1 – June 30, 2011): same as previous update.

4. Prepare internal and external financial reports, including responses to all audits, to ensure financial management records comply with Federal, State and NMED requirements.

UPDATE (July 1 – December 31, 2010): The SWQB continues to work cohesively with NMED's ASD, State Purchasing Division, Department of Administration and Finance to formulate budgets that relate to grant requests/awards and to assure compliance with both federal and state law. Budgets are tracked via an excel spreadsheet while financial reports are run in the SHARE system.

UPDATE (January 1 – June 30, 2011): same as previous update.

4.3 Database Management

SWQB currently maintains an in-house water quality database to store all field measurements and laboratory analytical results. Note that through a separately funded effort NMED has recently developed new database system to interface with WQX as well as integrate our datasets. The database went into use in January of 2010 and is used to store all chemical and biological monitoring data.

Data management and reporting support tasks include upgrading and maintaining SWQB's in-house database, and uploading of SWQB ambient water data and effluent monitoring data into WQX/STORET.

Outputs

1. Update and maintain bureau databases and establish methods to ensure proper input, controls and oversight of SWQB data.

2. Import new laboratory results data to current SWQB Access database or new Oracle database.

3. Upload data exports from SWQB database to STORET or STORET replacement (WQX). See Table 1 for estimated upload dates.

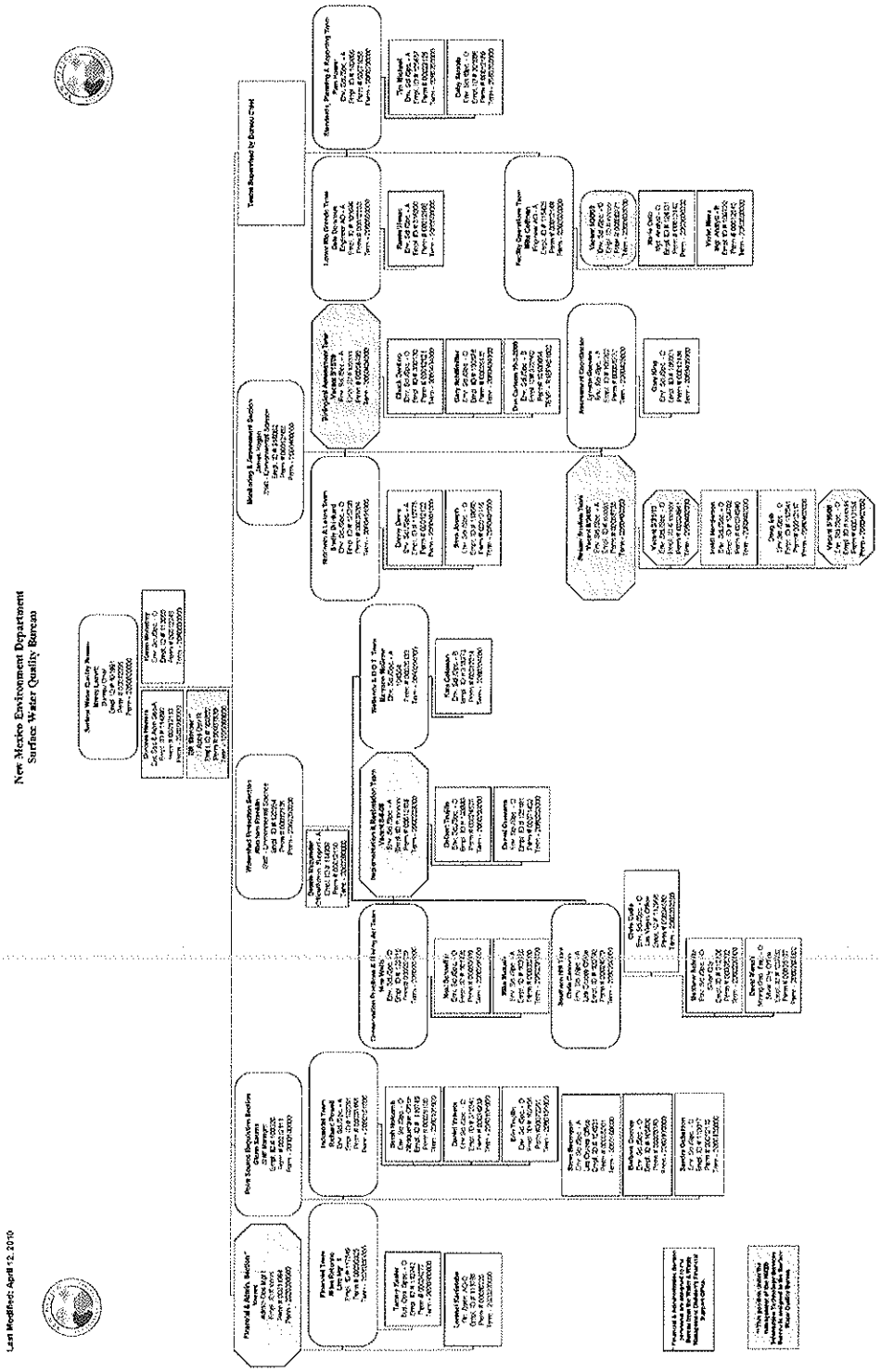
4. Consult with program staff and management to identify data management problems and constraints. Develop and implement solutions.

UPDATE (July 1 – December 31, 2010): In mid-November SWQB hired a new staff member with ¼ time responsibilities for data base management. During this 1.5 month period the staff member has been trained on uploading laboratory data to NMEDAS – SWQB's in-house oracle database. All data received from the lab has been loaded into the database. The staff has also begun the process of transferring the remaining dataset in the old Access database to WQX/STORET via the web application. We anticipate these to be completed in the next reporting period. SWQB also anticipated the first dataset in the NMEDAS database to be transfer to WQX via a node data exchange in the next reporting period. The development of this was supported through an EPA data exchange grant.

UPDATE January-June 2011: As anticipated all remaining datasets in the old Access database were transferred to WQX/STORET via the web application. Records of these data transmissions are provided as a project deliverable. We have also completed the transfer of a small dataset collected as part of a TMDL development effort from our new database (NMEDAS) to WQX/STORET via a node data exchange. We anticipate the upload of the 2010 survey dataset in the coming month.

Data uploads of chemical and biological data have been completed in a timely manner – any issues in data reporting etc have been quickly addressed by the contact labs or SWQB staff as requires. In general this process is working very efficiently at this time.

Attachment 1. NM Environment Surface Water Quality Bureau Organization Chart



Attachment 2. Rotational Survey Map